TOWN OF WAYLAND

WARRANT

With Report of the Finance Committee

1998 ANNUAL TOWN MEETING

Thursday, April 30, 1998 7:45 P.M.

Wayland High School Field House

SPECIAL TOWN MEETING

Monday, May 4, 1998 8:30 P.M.

Wayland High School Field House

ANNUAL TOWN ELECTION

Tuesday, April 28, 1998

Precincts 1 and 4	Wayland Town Building Gymnasium
Precincts 2 and 3	Wayland Middle School Gymnasium

VOTING HOURS: 7:00 A.M. - 8:00 P.M.

NOTICE

The Town of Wayland does not discriminate on the basis of disability in admission to, access to, or operations of its programs, services, or activities. Wayland does not discriminate on the basis of disability in its hiring or employment practices.

This notice is provided as required by Title II of the Americans with Disabilities Act of 1990.

Questions, concerns, complaints, or requests for additional information regarding the ADA may be forwarded to Wayland's designated ADA Compliance Coordinator.

Name:	Karen Woronicz
Title:	Personnel Director
Office Address:	41 Cochituate Road, Wayland, MA 01778
Phone Number:	(508) 358-3623 Fax: (508) 358-3627
TDD:	(508) 358-0194 or 911
Days/Hours Available:	Monday - Friday 8:30am - 4:30pm

Individuals who need auxiliary aids for effective communication in programs and services of Wayland are invited to make their needs and preferences known to the ADA Compliance Coordinator. A minimum of fourteen days notice is required.

This notice is available in large print and on audio tape from the ADA Compliance Coordinator.

ANNUAL TOWN MEETING

TABLE OF CONTENTS

		Page Number
	About Town Meeting	4
	Report of the Finance Committee (Including *Exhibits, Capital Plan*)	6
	Notice - Election and Annual Town Meeting	15
	Notice - Special Town Meeting	118
	"Volunteer to Serve Your Town" Form	132
Article		
1	Hear Reports	16
2	Choose Town Officers	16
3	Current Year Transfer	16
4	Amend Personnel By-Laws	17
5	FY99 Omnibus Budget	32
6	Water Department Budget	47
7	Water System Capital Improvements	48
8	Compensation for Elected Officials	48
9	Revolving Fund for Council on Aging	49
10	Acquire Residentially Zoned Portion of CNA/Raytheon Land	50
11	Accept Law Re: Authority to Regulate Dogs	52
12	Amend Town By-Law - Regulation of Dogs	52
13	Dog By-Law Study Committee	57
14	Adopt By-Law Regulating Use of Town Water	58
15	Accept and Acquire Streets	60
16	Amend Zoning By-Law Re: Aquifer Protection District	61
17	Construction of Wastewater Management System	62
18	Wastewater Management District Commission Budget	62
19	Accept Law Re: Denial, Revocation or Suspension of Licenses or Permits for Failure to Pay Taxes or Charges	64
20	Adopt By-Law Re: Denial, Revocation or Suspension of Licenses or Permits for Failure to Pay Taxes or Charges	64
21	Accept Report and Recommendations of Assessment & Valuation Study Committee	66
22	Fund Design and Construction of Public Safety Building	67
23	Public Safety Management Study	69
24	Acceptance of the Code of the Town of Wayland	69
25	Plan and Design Lodge Road	70

Article		*Page Number*
26	Acquire the Dow Property on Route 30	71
27	Rezone Dow Property on Route 30 from Limited Commercial to Residential	73
28	Purchase Dow Property on Route 30 for Conservation and Recreation Purposes	74
29	Wayland/Sudbury Septage Treatment Facility Budget	75
30	Improvements to Public Properties and Buildings	76
31	Rescind 1997 Annual Town Meeting Vote Authorizing Land Transfer Fee Legislation	76
32	Renovation of Vacant Space in Town Building for The Children's Way	77
33	Transfer and Lease Water Department Land for Wireless Communications Equipment	78
34	Rescind Vote of November 13, 1996 Special Town Meeting Re: Article 8, Wireless Communication	80
35	Amend Section 19-3 of Town By-Laws	81
36	Retain Services of Consultant Re: Town Meeting Minutes	82
37	Adopt By-Law for Regulating Utility Cuts in Town Ways	83
38	Amend Article 21 of the Town By-Laws	83
39	Fleet Maintenance Facility	84
40	Fund Acquisition of Conservation Land on Sedgemeadow Road and Moore Road	85
41	Release a Portion of a Conservation Restriction at 15 Hobbs Road	87
42	Petition to Make Uniform the Residential Zoning District North of Route 20	89
43	Petition to Increase Frontage Requirements of Residential Real Estate	90
44	Petition to Regulate Residential Gross Floor Area	91
45	Amend Zoning By-Law by Changing §§198-301.1.2., 301.1.4., 301.1.5., and 301.1.6 of Article 3, Nonconforming Uses	92
46	Change the Order of the Articles for the Zoning By-Law	94
47	Amend Zoning By-Law by Moving Certain Sections from Article 4, Single Residence District, to Article 11, General Regulations	98
48	Amend Zoning By-Law by Changing §§198-604.1.1. and 1001.2. to Clarify the Height Requirement for Business Districts	99
49	Amend Zoning By-Law by Adding Recycling to Article 7, Refuse Disposal District	100
50	Amend Zoning By-Law by Changing the Second Sentence of §198-903.1.1.1.1. of Article 9, Limited Commercial District	101
51	Amend Zoning By-Law by Changing §198-1002.1. of Article 10, Area, Yard and Bulk Regulations	102
52	Amend Zoning By-Law, §198-1505, Wireless Communications Services District	103

Article		*Page Number*
53	Amend Zoning By-Law by Deleting §198-1602.1.1. from Article 16, Administration and Enforcement	104
54	Amend Zoning By-Law by Changing the Third, Fourth, and Fifth Sentences of, and Adding a Heading to, §198-1604 of Article 16, Administration and Enforcement	104
55	Amend Zoning By-Law by Changing Article 17, Tables, and the Table of Permitted Uses by Districts	106
56	Amend Zoning By-Law by Changing the Table of Dimensional Requirements to Agree with the Text of the Zoning By-Law	111
57	Acquire Land at the End of Maiden Lane and Priscilla Path	112
58	Management Activities at the Greenways Conservation Area	114
59	Amend §36-3 of the General By-Laws of the Town of Wayland	115
60	Accept Gifts of Land	116
61	Sell or Trade Vehicles and Equipment	116
62	Authorize Treasurer to Borrow	117

1998 SPECIAL TOWN MEETING

1	Accept Law Increasing Real Estate Tax Exemption Amounts	119
2	Add Funds to Conservation Fund	119
3	Acquire Sewer Treatment Plant on Former CNA/Raytheon Land	120
4	Seek Funding for Implementation of Planning Studies	122

Appendix

A	Chapter 140, Section 147A	123
B	Chapter 40, Section 57	124
C	Chapter 73, Section 4, Acts of 1986, and Chapter 126, Acts of 1988	126
D	Warrant Article Process - Guide for Petitioners	127

ADJOURNED MEETINGS

It is anticipated that if adjourned meetings are necessary to complete action on these Warrants they will be held on the following dates, subject to Town Meeting approval:

May 4	-	Monday
May 6	-	Wednesday
May 7	-	Thursday

and thereafter, as may be necessary, on Mondays, Wednesdays and Thursdays as Town Meeting directs. Voters are reminded that there is no smoking permitted on school grounds.

If you have any questions about the Articles, please attend the **Warrant Hearing on Thursday, April 16, 1998, at 8:00p.m.** at the Town Building. You may also call the Executive Secretary's office at 358-7755 before Town Meeting.

NOTICE REGARDING MOTIONS

This warrant for Wayland Town Meeting is issued by the Board of Selectmen and is served upon all residents by mail and by posting at the Town Building, the Wayland Public Library, the Cochituate Fire Station or the Cochituate Post Office, and at the Happy Hollow School. It contains the agenda of subjects to be acted upon, *i.e.*, the articles.

By State law, no action at the town meeting is valid unless the subject matter is contained in the warrant. This requirement means only that the subjects to be acted upon must be sufficiently stated in the warrant to apprise voters of the nature of the matters with which the meeting is authorized to deal. It does not require that the warrant contain an accurate forecast of the precise action which the meeting will take upon those subjects. A valid motion at town meeting may differ from the underlying article, but it must be within the scope of that article.

If you are in doubt about the action town meeting might take under an article, you should plan to attend the town meeting in person.

TOWN MEETING PROCEDURES

Town Meeting functions best when all voters are familiar with its rules of procedure. A summary of those rules appears in the document "Some Pertinent Information about Wayland's Town Meeting Procedures," prepared by the Moderator. It may be obtained from the Selectmen's office or at the Town Meeting.

QUANTUM OF VOTE

The quantum of vote is specified in the warrant for each article.

For those articles involving appropriations which are anticipated to be provided by taxation or from available funds or transferred funds previously appropriated for another purpose, a majority quantum of vote is indicated. For articles which are anticipated to be funded by borrowing, a two-thirds quantum of vote is indicated.

Certain articles request the action of Town Meeting under its general legislative powers (*i.e.*, to hear and accept reports, to appoint a committee, to adopt a resolution or "sense of the meeting" vote, *etc.*), and in such cases no particular statute is referenced. Town Counsel has advised that, as a matter of common law precedent in Massachusetts, such matters are to be decided by a majority vote.

Report of the Finance Committee

The primary role of the Wayland Finance Committee each year is to prepare the Omnibus Budget and review and comment on articles submitted for inclusion in the Annual Town Meeting Warrant. In carrying out this role, the Finance Committee considers both the short and long term fiscal position of the Town with guidance from the following mission statement and financial strategy.

Mission statement

The mission of the Wayland Finance Committee is to define a financial strategy for the Town and to use this strategy as the basis for recommending to the Town a fiscally responsible operating and capital spending plan. In implementing this strategy, and within the context of its impact on property values, the Finance Committee seeks to balance the demand for services against the ability of residents with a broad range of financial situations to afford these services.

Financial strategy

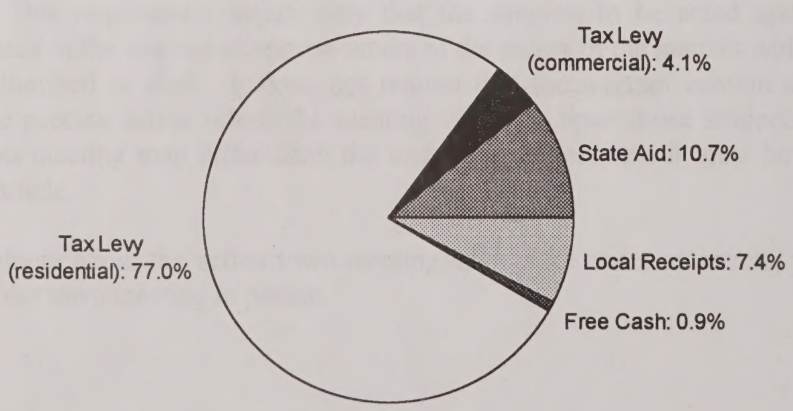
The Finance Committee strategy is to recommend the following: 1) maintenance of high quality Town services supplied by an efficient workforce at the lowest possible cost, 2) continued investment in infrastructure via a capital spending plan that strives to add new debt no faster than old debt is retired, and 3) preservation of Free Cash levels near five percent of the total budget, as recommended by financial lending institutions and the Commonwealth.

The coming fiscal year: FY99

Revenues

Revenues include residential and commercial real estate taxes, state aid, local receipts (for instance, automobile excise taxes), and Free Cash. Figure 1 shows a projection of these revenues for FY99.

Figure 1: Projected FY99 Revenue Breakdown
Total: $34.3 M

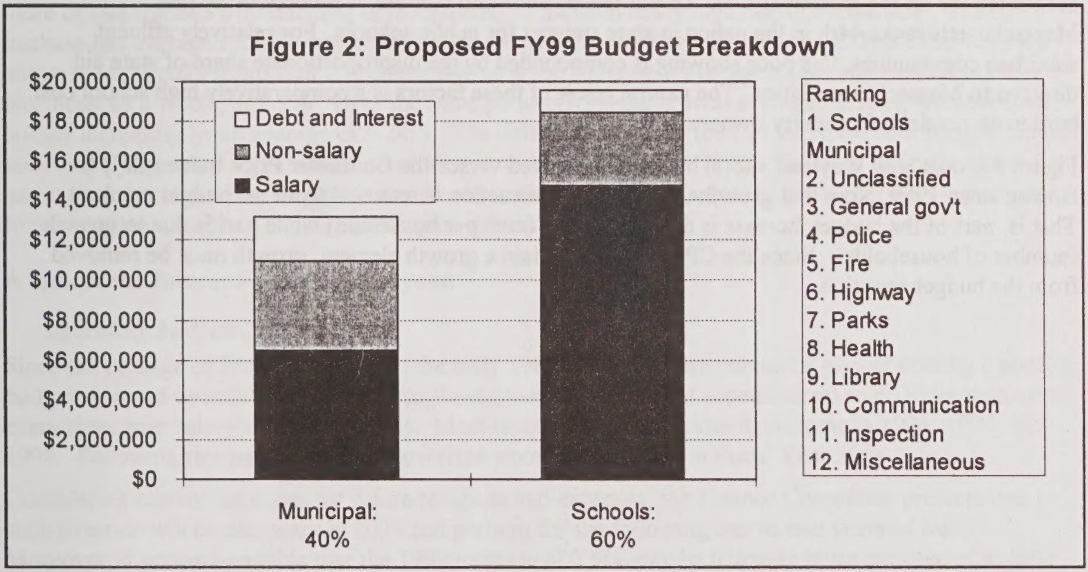


Two items of particular note from Figure 1 are commercial taxes and State Aid, which together are the key determining factors in residential tax burden. Wayland's commercial tax base represents a low 5% of total receipts. If realistic projections for new commercial development were to occur, this amount might increase by a few percent. State Aid is similarly low, having decreased dramatically from over 16% of revenues in FY85 to about 11% for FY99. To put this amount into perspective, Wayland residents pay out annual income taxes to the Commonwealth that are approximately ten times greater than the State Aid returned. In short, through circumstances that the Town is unable to change, the burden of the budget falls primarily on the shoulders of the residential tax payer.

Expenses (the Omnibus Budget)

Expenses represented by the Omnibus Budget include the various Town departments, unclassified expenditures such as employee health insurance, and debt and interest repayments on Town acquisitions. The budget also includes a request for new capital items.

Figure 2 presents the requested operating expenses broken down into three municipal and school categories: salary, non-salary such as supplies, utilities, and so on, and debt and interest. Miscellaneous includes the Dog Officer, Veterans Affairs, and Youth Services. Note that the salaries include assumptions for increases due to recently completed and ongoing union negotiations. Details for each department can be found in the Omnibus Budget, Article 5 of the 1998 Annual Town Meeting Warrant.



The proposed budget--with an operating increase of 2.5%--represents a healthy balance of spending for municipal and school functions. Beyond the negotiated salary increases, several items from this operating and capital budget are particularly worthy of note.

Public Safety Building: The Public Safety Building houses the Police, Fire, and Joint Communications Departments. The current structure is in dire need of replacement or near complete refurbishment for reasons of space and safety.

Health Department: Municipal and school nurses operate under the auspices of the Health Department. Within the schools, nurses or nurse aides are currently available for only a few hours a day. The proposed budget includes funds to bring these nurses to full-time status.

Highway Department: The Highway Department is requesting capital for the purchase of trucks to replace aging vehicles in poor condition.

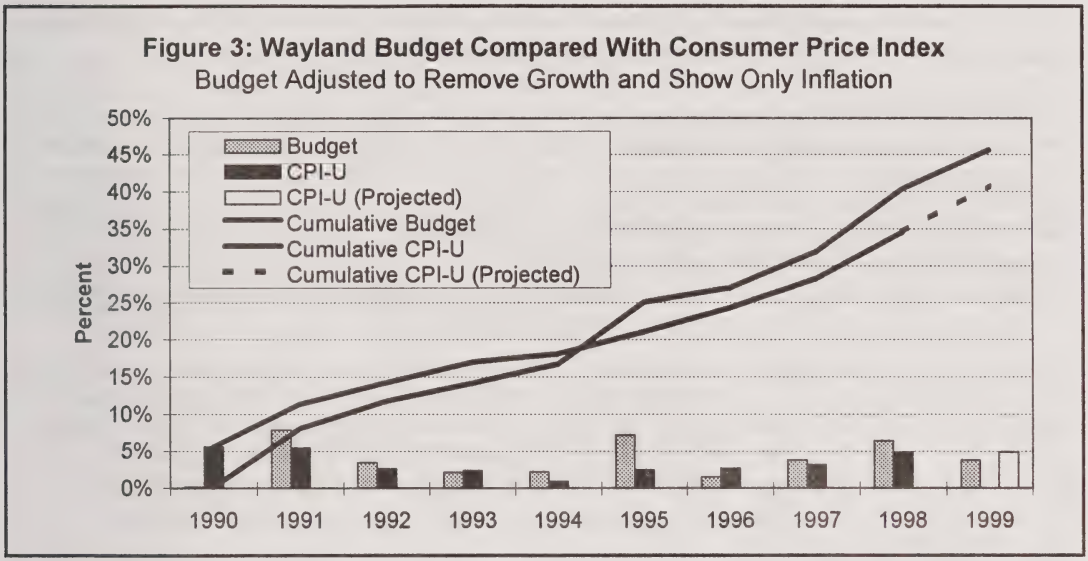
School Department: The increase in the school operating budget reflects enrollment growth. On the capital side, the schools are requesting funds for needed modular classroom expansion, furniture replacement, and computers and technology.

Library: The library budget request includes funding for new books and other materials as well as computers and necessary building repairs.

Park and Recreation Department: After a long period of staff reduction, the Park and Recreation Department is requesting the addition of a position and capital for the maintenance of the new fields approved by the Town at the polls and Annual Town Meeting in 1996.

Overall, the schools account for 60% of the total operating and capital budget, with the remaining 40% accounted for on the municipal side. To put this balance into context, it is noteworthy that Massachusetts ranks 44th in the nation in state support for public schools. For relatively affluent suburban communities, this poor showing is compounded by the disproportionate share of state aid directed to Massachusetts cities. The natural result of these factors is a comparatively high school cost burden on residential property owners.

Figure 3 shows how Wayland's total budget has tracked versus the Consumer Price Index (CPI) for Boston since 1989. Note that growth due to new construction is removed from the budget numbers. That is, part of the budget increase is due to inflation (cost per household) while part is due to growth (number of households). Since the CPI does not contain a growth element, growth must be removed from the budget equation.



The conclusion that can be drawn from Figure 3 is that increases in the Town budget since 1989 have more or less tracked with inflation as represented by the admittedly imperfect CPI measure. The CPI increase has averaged 3.36% versus 3.86% for the growth-corrected Town budget. Note that both are above the artificial Proposition 2 ½ constraint, as is the increase in average wages and salaries in the Northeast as a whole, at 2.9%. Over the same period, Wayland growth averaged 1.38%, with the total budget increasing by an average of 5.24%. The difference between the CPI and the Town budget can be seen in the jumps that represent the override years: 1991, 1995, and 1998. The need for these overrides has in large part been due to growth in school enrollment (which is substantially higher than growth due to new construction) and capital spending on infrastructure.

A look to the future: FY2000 and beyond

Operating budgets

Since the passage of Proposition 2 ½ in the early 1980s, Wayland has pursued a plan of limiting operating budget-oriented overrides (as opposed to those overrides for capital expenditures) to no more than once every three year salary negotiation cycle. Most recently, such overrides have come in 1991, 1995, and 1998. Following this pattern, the next override would be expected in Fiscal Year 2001.

Considering current estimates for future revenues and expenses, the Finance Committee projects that no such override will be necessary in 2001 and perhaps for the following one to two years as well. Moreover, it appears possible that the 1999 increase of 2.5% may be followed by an increase of as little as 1.5% in 2000 and 2.5% in 2001. (Because of the significant impact that salaries have on Town finances, the Finance Committee generally does not project beyond the end of the current three year cycle for which salary increases are known.) The increases above are based on Finance Committee guidelines that include negotiated salary settlements, flat non-salary expenses, and low to moderate new capital expenditures. While it is crucial to note that these projections are speculative, they are based on one possible realistic set of growth assumptions for fiscally prudent Town management coupled with the

development of Greenways (formerly the Paine Estate), the Raytheon site, and other Town properties that are expected to add revenues in excess of their costs.

Five-year capital plan

Capital spending is part of the overall financial plan for the Town that the Finance Committee prepares each year as specified by the Town's General By-laws. Capital needs fall roughly into four categories: equipment, buildings, land, and roads. The accompanying five-year capital plan table in the 1998 Annual Town Meeting Warrant is the starting point for capital expenditures to be considered in coming years, summarizing requests made by the various departments, boards, and commissions for future capital expenditures. Presence in the plan does not necessarily predetermine that the expenditure will be made, nor that other needs will not be determined in the coming years.

The process of preparing each five-year capital plan has remained fundamentally the same since the early 1980s. The process begins each year with a request for a five-year forecast of capital needs from all departments, boards, and commissions asking for an estimate of their future needs for capital. Capital requests for the first of the five years are included at the end of that year's Omnibus Budget. Prior to Proposition 2 ½, except for major projects such as schools or other buildings, capital spending was accomplished via the Town's Free Cash account. More recently, capital expenditures have been accomplished through borrowing.

In past years, the Town has executed several major capital projects: the addition to the Library, the reconstruction of a number of badly deteriorated roads, the construction of a new cell at the landfill, renovations at the schools and of the Town Building, the acquisition of Greenways, and the refurbishment of the Town's recreational fields. Each of these projects was funded through a bonded debt exemption (temporary override) voted by the Wayland electorate.

The upcoming proposed major projects include the Town's Public Safety Building and expansion of the schools. Committees have analyzed needs for both functions, recommending a new building for the former and added modular classrooms for the latter. Beyond standard replacements such as vehicles, other items on the horizon include the following: road repair and reconstruction work as well as road betterments, landfill cell capping, and acquisition of conservation land.

Wayland in perspective

The combination of limited commercial revenues and low state aid undoubtedly makes Wayland an expensive place to live. Median family income and average household tax burden are both among the highest in the state. In recognizing this burden, the Finance Committee will again this year push for increased tax abatements to assist the elderly, fixed-income residents, and veterans. In its broader capacity, the Finance Committee will continue to be diligent in overseeing the Town's financial health.

In the period from 1988 to 1991, the Town faced and overcame significant state aid reductions through the use of available reserves and strong voter support via the override mechanism. Despite these pressures, the Town has continued to build, renovate, and repair buildings, equipment, and roads. Coupled with commendable expert guidance from the Town's Finance Director, the result of these actions is our current strong financial position as evidenced by our AAA bond rating. By way of comparison, only 28 other communities nationwide have similar high ratings. Relative to comparable Towns, Wayland measures up favorably on a number of dimensions including the following: general government, police, fire, and education cost per capita, and road cost per mile. Finally, property values are high and continue to increase.

Conclusion

The Finance Committee appreciates and extends thanks for the contributions of the Town employees and volunteers who have helped with the preparation of the budget and this Warrant. Wayland residents are encouraged to become involved in Town government, whether through participation in the Annual Town Meeting, in attending the public meetings of Town boards and commissions, or by standing for elected or appointed office.

In sum, affordability continues to be of pressing concern in Wayland. The Finance Committee is committed to maintaining affordability to the greatest extent possible without unduly sacrificing the quality of Town services and infrastructure. As summarized in this report, we are pleased to report that the financial health of the Town of Wayland is excellent.

Jeff R. Dieffenbach, Chairperson

Alfred H. Bellows	G. Christopher Riley
Robert L. Lentz	Lisa C. Schimmel
Robert H. Loring	Katherine H. Tyrrell

TOWN OF WAYLAND CAPITAL PLANNING REPORT

Capital by Department	1999	2000	2001	2002	2003	5 year Total
CONSERVATION COMMISSION						
Land Acquisition Fund (1)	50,000	10,000	10,000	10,000	10,000	90,000
Conservation Subtotal	50,000	10,000	10,000	10,000	10,000	90,000
TOWN SURVEYOR						
GPS System upgrade	35,000					35,000
Surveyor Subtotal	35,000	0	0	0	0	35,000
POLICE DEPARTMENT						
Police Cars	102,000	70,000	70,000	70,000	70,000	382,000
Traffic lights	30,000					30,000
Police Subtotal	132,000	70,000	70,000	70,000	70,000	412,000
FIRE DEPARTMENT						
Digitizer, copier	35,000					35,000
Ambulance remount		55,000				55,000
Engine 2 refurbish			25,000			25,000
Car 2 remount				30,000		30,000
Car 1 replacement					30,000	30,000
Fire alarm truck remount					35,000	35,000
Ambulance		55,000				55,000
Fire Subtotal	35,000	110,000	25,000	30,000	65,000	265,000
HIGHWAY DEPARTMENT						
Twenty Ton Dump Truck w/snow,ice	106,000					106,000
One ton dump rack body truck/plow	38,000					38,000
Ten ton dump with snow package	96,000					96,000
Multi purpose tractor/sidewalk plow		77,000				77,000
Catch Basin and Manhole cleaner		47,000				47,000
One ton maintenance truck		39,000				39,000
Five ton roller		40,000				40,000
Asphalt hot patch repair unit		48,000				48,000
Front end loader			110,000			110,000
Utility truck			28,000			28,000
One ton pickup truck			32,000			32,000
Ten ton dump truck/snow,ice pkg			100,000			100,000
Additional garage bays				150,000		150,000
Hydraulic garage lift				32,000		32,000
Garage Sprinkler system				50,000		50,000
Street sweeper				115,000		115,000
Salt shed					80,000	80,000
Highway Subtotal	240,000	251,000	270,000	347,000	80,000	1,188,000
LANDFILL						
Roll off truck			100,000			100,000
Skid Loader			35,000			35,000
Landfill Subtotal	0	0	135,000	0	0	135,000
PARK & RECREATION						
Utility truck	42,000					42,000

TOWN OF WAYLAND CAPITAL PLANNING REPORT

Capital by Department	1999	2000	2001	2002	2003	5 year Total
Tractor	40,000					40,000
Slice Seeder	7,000					7,000
Plug aerator	2,800					2,800
Broadcast Seeder	4,000					4,000
Spray Boom	2,650					2,650
Infield groomer	16,000					
Utility truck		40,000				40,000
Line painter		16,000				16,000
Top dresser	15,000					15,000
Trailer	3,500					3,500
One ton dump truck/plow			42,000			42,000
Seventy two inch mower				25,000		25,000
Fifty two inch mower				5,000		5,000
Park & Rec. Subtotal	132,950	56,000	42,000	30,000		260,950
SCHOOL DEPARTMENT						
Furnishings/equip	200,000	200,000	30,000	22,000	20,000	472,000
Technology	225,000	345,000	320,000	320,000	320,000	1,530,000
Vehicles		25,000	90,000	45,000		160,000
Modular classrooms	175,000					175,000
Building repairs		49,000	120,000	17,000	75,000	261,000
School Subtotal	600,000	619,000	560,000	404,000	415,000	2,598,000
Department's Total	1,224,950	1,116,000	1,112,000	891,000	640,000	4,983,950

(1) Conservation Master Plan identifies numerous parcels of land that are candidates for acquisition when they become available. It is uncertain when that will be but when and if they do, money is needed for the acquisition.

Separate Funds

WATER DEPARTMENT						
Corrosion Control	150,000					150,000
Meter Program	200,000					
Plain road/Draper to BP		647,000				647,000
E Plain from Main to Commonwealth			420,000			420,000
Hydrants			100,000	100,000		200,000
Gate Valve replacement				150,000		150,000
Glezen Rd (Concord to Hazelbrook)					431,000	431,000
Water Subtotal	350,000	647,000	520,000	250,000	431,000	1,567,000
SEPTAGE TREATMENT						
Capital Replacement		400,000				400,000
Septage Subtotal	0	400,000	0	0	0	400,000

Summary of Departments	1999	2000	2001	2002	2003	5 yr total
Conservation Commission	50,000	10,000	10,000	10,000	10,000	90,000
Town Surveyor	35,000	0	0	0	0	35,000
Police Department	132,000	70,000	70,000	70,000	70,000	412,000
Fire Department	35,000	110,000	25,000	30,000	65,000	265,000
Highway Department	240,000	251,000	270,000	347,000	80,000	1,188,000
Landfill	0	0	135,000	0	0	135,000
Park & Recreation	132,950	56,000	42,000	30,000	0	260,950

TOWN OF WAYLAND CAPITAL PLANNING REPORT

Capital by Department	1999	2000	2001	2002	2003	5 year Total
School Department	600,000	619,000	560,000	404,000	415,000	2,598,000
Total of Departments	1,224,950	1,116,000	1,112,000	891,000	640,000	4,983,950
Effect of Dept Cap. on Tax Rate	$0.82	$0.75	$0.75	$0.60	$0.43	$3.35
Non-Departmental						
Water Department	350,000	647,000	520,000	250,000	431,000	1,517,000
Septage Treatment	0	400,000	0	0	0	400,000
	350,000	1,047,000	520,000	250,000	431,000	1,917,000

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss. *Town of Wayland*

*** * * WARRANT * * ***

To any of the Constables of the Town of Wayland, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify all residents of the Town of Wayland who shall be qualified to vote in accord with the provisions of Massachusetts General Laws, Chapter 51, Section 1, to come to their respective polling places (Precincts 1 and 4 in the Gymnasium of the Town Building and Precincts 2 and 3 in the Gymnasium of the Middle School) on:

TUESDAY, APRIL 28, 1998, BETWEEN 7:00 A.M. and 8:00 P.M.

to choose the following Town officers by ballot from Wayland's registered voters for the following terms of office:

One Selectman, one Town Clerk, one School Committee member, one Assessor, two Road Commissioners, one Water Commissioner, one member of the Board of Health, one Trust Fund Commissioner, two Library Trustees, two Park and Recreation Commissioners, each for three years;

One Planning Board member and one member of the Housing Authority for five years;

As well as such other Town Officers as may be necessary;

And to vote "Yes" or "No" upon the following question:

QUESTION NO. 1:

"Shall the Town of Wayland be allowed to exempt from the provisions of proposition two-and-a-half, so-called, the amounts required to pay for the bond issued in order to demolish the existing public safety building and design and construct a new public safety building, including furnishings, fixtures, and equipment and related temporary relocation costs?"

You are also required to notify all such residents of Wayland to meet in the High School Field House on:

Thursday, April 30, 1998 at 7:45 P.M.

to act on the following Articles:

ARTICLE *1:* HEAR REPORTS

Proposed by: Board of Selectmen

To determine whether the Town will vote to receive and act upon reports of Town officers, agents, trustees, commissioners, boards, and committees.

FINANCE COMMITTEE COMMENTS: This is a standard article that allows reports commissioned by the Town to be heard.

ARGUMENTS IN FAVOR: Reports requested by the Town should be heard.

ARGUMENTS OPPOSED: The Finance Committee is not aware of any.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous

QUANTUM OF VOTE: Majority.

ARTICLE *2:* CHOOSE TOWN OFFICERS

Proposed by: Board of Selectmen

To determine whether the Town will vote to choose Town officers, agents, trustees, councils, commissioners, boards, and committees not elected by the official ballot.

FINANCE COMMITTEE COMMENTS: This is a standard article that permits the Town to fill various positions.

ARGUMENTS IN FAVOR: It is important to the Town to have all positions filled.

ARGUMENTS OPPOSED: The Finance Committee is not aware of any.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority - see Massachusetts General Laws Chapter 41, Section 1.

ARTICLE *3*: CURRENT YEAR TRANSFER

Proposed by: Finance Committee *Estimated Cost: $81,000.00*

To determine whether the Town will vote to appropriate a sum or sums of money for the operation and expenses of various Town departments for the current fiscal year; to determine whether such appropriation shall be provided by taxation, by funds received as grants from the Commonwealth or Federal Government, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing or otherwise; and to determine which Town officer, board, or committee, or combination of them, shall be authorized to expend the money or monies appropriated therefor.

FINANCE COMMITTEE COMMENTS: Current year transfers allow the Town to appropriate monies to pay for items that were not expected at the time that the current year budget was put together.

The following salary items require additional funds for the current fiscal year for the reasons outlined:
Treasurer's Salary Account: $12,500 to cover the expense of hiring a new Treasurer, including keeping the former Treasurer on for a period of transition; also funding sick leave buy-back due the former Treasurer.
Staffing Joint Communications Salaries: $5,500 to cover overtime costs associated with illness, vacation, and shortfalls on the late night shift.
Board of Health Salaries: $9,000 to provide funds to cover the upgrade in the Board of Health Director's salary due to the assumption of additional responsibilities, and additional clerical costs for the same reason.
Board of Health Landfill: $5,000 to provide funds to cover additional overtime in that department.
Staffing of Youth Services: $4,000 to provide funds for union retroactive salary payments.
Library Salaries: $3,500 to provide additional funds to cover educational incentives and sick leave buy-back.

The following expense accounts require additional funds for the reasons listed:
Unemployment Compensation: $5,000. These funds are necessary to meet the cost of unemployment coverage for one former employee for the remainder of the year, as required by state law.
Highway Snow Removal: $30,000. This account may require these additional funds, depending on the severity of the winter between now and Town Meeting. If these funds are not necessary when Town Meeting convenes, the amount will be adjusted down or eliminated, based on weather events in the interim.
Paine Estate Committee: $6,500. These funds are required to provide the committee with legal and professional services required for ongoing negotiations with the developer of the property.

ARGUMENTS IN FAVOR: The requested funds are required for the Town to deliver services as requested by last year's Annual Town Meeting.

ARGUMENTS OPPOSED: These monies might possibly be considered excessive.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority - see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds - see Chapter 44, Section 7.

ARTICLE 4: AMEND PERSONNEL BY-LAWS

Proposed by: Personnel Board

To determine whether the Town will vote to amend the Code of the Town of Wayland, Chapter 43, PERSONNEL and the Personnel Wage and Salary Classification Plan previously adopted by the Town by making the following additions, deletions or modifications thereto, and by establishing effective dates for such amendments.

Chapter 43- PERSONNEL

(Note: New Language is underlined, deleted language is *italic* and [bracketed]. Only articles that have been amended are included.

§. 43-9. Annual leave.

A. Paid annual leave

(1) Paid annual leave for all nonunion, nonprofessional or nonadministrative employees in benefit status shall be as follows:

(a) [*Zero to*] 0 but less than [*five*] 5 years employment: 13 working days
(b) [*Five to*] 5 but less than 15 years employment: 19 working days
(c) [*Fifteen to*] 15 years to severance: 25 working days

§. 43-11. Sick leave.

C. Up to the limit of the dollar amount accrued, an employee may request that sick leave and accrued annual leave be used to supplement worker's compensation payments in each pay period, [*do*] not to exceed [*his*] regular, after-tax income.

§. 43-16. Maternity leave.

A. A female employee, after having successfully completed her probationary period or, if [*there is*] not on a full-time basis, for at least six consecutive months, shall be granted a maternity leave without pay, for the purpose of giving birth, for a period of time not to exceed eight weeks, provided that such employee gives two weeks' notice of her anticipated departure date and intention to return to work

FINANCE COMMITTEE COMMENTS: This traditional Article makes changes in the Personnel By-law, Chapter 43, of the Code of the Town of Wayland and the Wage and Salary Classification Plan. The proposed by-law changes are not substantive but merely add clarifying language. The changes to the Wage and Salary Classification Plan incorporate the upcoming year's wage and salary schedule for non-union and union negotiated settlements. The only union schedules included are the AFSCME and water workers union schedules which are the final union contracts settled since last year's Town Meeting. These were three-year contracts for the fiscal year ending in 1998. None of the union contracts for Town employees has been settled for fiscal 1999.

ARGUMENTS IN FAVOR: The proposed by-law amendments clarify existing language. The changes in the Wage and Salary Classification Plan allow for systematic increases based on employee evaluations and provide reasonable growth with regard to the current economic conditions.

ARGUMENTS OPPOSED: The Finance Committee is not aware of any.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority - see Massachusetts General Laws Chapter 41, Section 108A.

ADMINISTRATIVE AND PROFESSIONAL
NON-UNION

G-Schedule

Effective July 1, 1998 (2% Adjustment)

	1	2	3	4	5	6	7	8
G-1	$48,210	$49,242	$50,275	$51,308	$52,340	$53,373	$54,405	$55,438
G-2	$50,138	$51,212	$52,286	$53,360	$54,435	$55,509	$56,583	$57,657
G-3								
G-4	$60,647	$61,946	$63,246	$64,545	$65,845	$67,144	$68,444	$69,743
G-5	$63,071	$64,423	$65,774	$67,125	$68,476	$69,828	$71,179	$72,530
G-6	$67,924	$69,380	$70,836	$72,292	$73,748	$75,204	$76,660	$78,116

	9	10	11	12	13	14	15
G-1	$56,470	$57,503	$58,536	$59,568	$60,601	$61,633	$62,673
G-2	$58,732	$59,806	$60,880	$61,954	$63,029	$64,103	$65,178
G-3							
G-4	$71,043	$72,342	$73,642	$74,941	$76,241	$77,540	$78,841
G-5	$73,882	$75,233	$76,591	$77,935	$79,287	$80,638	$81,993
G-6	$79,571	$81,027	$82,483	$83,939	$85,395	$86,851	$88,301

NON-ADMINISTRATIVE AND PROFESSIONAL
NON-UNION

Effective July 1, 1998 (2% Adjustment)

	1	2	3	4	5	6	7	8
SG-3	$28,565	$29,178	$29,790	$30,401	$31,014	$31,627	$32,239	$32,850
SG-4	$30,851	$31,512	$32,172	$32,833	$33,495	$34,156	$34,816	$35,477

	9	10	11	12	13	14	15
SG-3	$33,463	$34,074	$34,686	$35,300	$35,911	$36,524	$37,136
SG-4	$36,139	$36,800	$37,460	$38,121	$38,783	$39,444	$40,105

NON-UNION

ADMINISTRATIVE AND PROFESSIONAL

Finance Director	G-5	Park & Recreation Director	G-2
Fire Chief	G-4	Water Superintendent	G-2
Police Chief	G-4	Personnel Director	G-1
Library Director	G-2		

NON-ADMINISTRATIVE AND PROFESSIONAL

Administrative Secretary, Selectmen	SG-4
Fee Support Administrator, P & R	SG-4*
Outreach Coordinator, COA	SG-3*

* part-time

OFFICE STAFF
NON-UNION

Effective July 1, 1998 (2% Adjustment)

GRADE	MINIMUM	STEP 1	STEP 2	STEP 3
S-9	$23,004	$23,974	$24,933	$25,892
S-10	$23,974	$24,973	$25,972	$26,970
S-12	$26,013	$27,097	$28,182	$29,265
S-13	$27,038	$28,164	$29,290	$30,417
S-14	$28,116	$29,288	$30,459	$31,631
S-15	$29,210	$30,427	$31,644	$32,862
S-16	$30,397	$31,664	$32,930	$34,196
S-17	$31,600	$32,917	$34,233	$35,551
S-18	$32,901	$34,271	$35,642	$37,013

NON-UNION OFFICE STAFF POSITIONS

Effective July 1, 1998 (2% Adjustment)

	Starting Hourly Rate	Step 1	Step 2	Step 3
Hrly. Sen. Sec. Aide	10.49			
Hrly. Sec. Aide	9.25			
Student Sec. Aide	5.96	6.70	7.45	8.20

LIBRARY - HOURLY CLERKS - NON-UNION

Effective July 1, 1997 (2% Adjustment)

STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8
$9.99	$10.20	$10.43	$10.64	$10.86	$11.07	$11.28	$11.51
STEP 9	STEP 10	STEP 11	STEP 12	STEP 13	STEP 14	STEP 15	
$11.72	$11.94	$12.15	$12.36	$12.59	$12.80	$13.02	

LIBRARY - HOURLY CLERKS - NON-UNION

Effective January 1, 1998 (3% Adjustment)

STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8
$10.29	$10.51	$10.74	$10.96	$11.18	$11.40	$11.62	$11.85
STEP 9	STEP 10	STEP 11	STEP 12	STEP 13	STEP 14	STEP 15	
$12.07	$12.29	$12.51	$12.74	$12.97	$13.19	$13.41	

LIBRARY - HOURLY CLERKS - NON-UNION

Effective July 1, 1998 (2% Adjustment)

STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8
$10.49	$10.72	$10.96	$11.18	$11.40	$11.63	$11.85	$12.09
STEP 9	STEP 10	STEP 11	STEP 12	STEP 13	STEP 14	STEP 15	
$12.32	$12.54	$12.77	$12.99	$13.23	$13.45	$13.68	

LIBRARY - NON-UNION - PART-TIME WEEKEND PROFESSIONALS

EFFECTIVE JULY 1, 1998 (Adjustment 2%)

STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8	STEP 9	STEP 10	STEP 11	STEP 12
$16.52	$16.81	$17.12	$17.41	$17.72	$18.01	$18.32	$18.61	$18.92	$19.22	$19.52	$19.82

NON-UNION LIBRARY

Effective July 1, 1998

	Year 1	Year 2	Year 3
Library Pages	$6.40	$6.80	$7.16

INSPECTORS - NON-UNION - HEALTH AND BUILDING

Effective July 1, 1998

	Min.	2	3	4	Max.
Gas & Plumbing Inspector	16.00	16.80	17.64	18.52	19.45
Wiring Inspector					
Local Building Inspector					
Part-time Health Inspector					

Effective January 1, 1998

MISCELLANEOUS SEASONAL

	1 year	2 years	3 years	4 years
Conservation Laborer	9.00	9.65	10.30	11.00
Landfill Clerk	10.50 (6 week position)			
Park & Rec. Laborer	10.38	10.90	11.42	

PARK & RECREATION - BEACH SEASONAL

Swim Aide I	6.80	7.20	7.60	8.00
Snack Bar Supervisor	9.00	9.40	9.80	
Snack Bar I	8.00	8.40	8.80	
Snack Bar II	6.00	6.30	6.60	

PART-TIME SEASONAL AND OTHER NON-UNION PUBLIC SAFETY POSITIONS

Effective July 1, 1998 (2% adjustment)

TITLE	Rate	Per
Traffic Supervisors	$ 5,438	Year
Traffic Supervisor Substitute	$ 31.18	Day
Special Police Matrons	$ 13.86	Hour
Call Firefighters	$ 13.86	Hour
Part-time Custodian	$ 11.05	Hour
JCC Dispatcher	$ 9.85	Hour
Police Intern	$ 7.16	Hour

AFSCME - UNION - G SCHEDULE (2.0% ADJUSTMENT)
EFFECTIVE JANUARY 1, 1996

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8
G7	$59,761	$61,041	$62,322	$63,602	$64,883	$66,164	$67,444	$68,725
G6	$54,826	$56,001	$57,176	$58,351	$59,526	$60,700	$61,875	$63,050
G5	$50,300	$51,377	$52,455	$53,536	$54,610	$55,689	$56,767	$57,845
G4	$46,147	$47,135	$48,124	$49,112	$50,102	$51,091	$52,079	$53,069
G3	$42,337	$43,243	$44,150	$45,058	$45,965	$46,872	$47,780	$48,686
G2	$38,841	$39,673	$40,505	$41,338	$42,170	$43,002	$43,719	$44,593
G1	$35,633	$36,397	$37,161	$37,924	$38,688	$39,451	$40,214	$40,979

GRADE	STEP 9	STEP 10	STEP 11	STEP 12	STEP 13	STEP 14	STEP 15
G7	$70,005	$71,286	$72,566	$73,847	$75,127	$76,408	$77,689
G6	$64,225	$65,400	$66,575	$67,749	$68,924	$70,100	$71,275
G5	$58,922	$60,000	$61,078	$62,155	$63,234	$64,312	$65,389
G4	$54,057	$55,046	$56,034	$57,024	$58,013	$59,001	$59,991
G3	$49,593	$50,501	$51,408	$52,316	$53,223	$54,129	$55,037
G2	$45,499	$46,331	$47,164	$47,996	$48,828	$49,660	$50,493
G1	$41,742	$42,506	$43,269	$44,033	$44,796	$45,559	$46,324

AFSCME - UNION - G SCHEDULE (1% ADJUSTMENT)
EFFECTIVE JULY 1, 1996

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8
G7	$60,359	$61,651	$62,945	$64,238	$65,532	$66,826	$68,119	$69,413
G6	$55,375	$56,561	$57,748	$58,934	$60,121	$61,307	$62,494	$63,681
G5	$50,803	$51,891	$52,980	$54,072	$55,157	$56,246	$57,335	$58,423
G4	$46,608	$47,607	$48,605	$49,603	$50,603	$51,601	$52,600	$53,599
G3	$42,760	$43,675	$44,592	$45,508	$46,425	$47,341	$48,258	$49,173
G2	$39,229	$40,069	$40,910	$41,751	$42,591	$43,432	$44,157	$45,039
G1	$35,989	$36,761	$37,532	$38,303	$39,074	$39,846	$40,617	$41,389

GRADE	STEP 9	STEP 10	STEP 11	STEP 12	STEP 13	STEP 14	STEP 15
G7	$70,705	$71,999	$73,292	$74,586	$75,879	$77,172	$78,466
G6	$64,867	$66,054	$67,240	$68,427	$69,613	$70,801	$71,988
G5	$59,511	$60,600	$61,688	$62,777	$63,866	$64,955	$66,043
G4	$54,598	$55,596	$56,595	$57,594	$58,593	$59,591	$60,591
G3	$50,089	$51,006	$51,922	$52,839	$53,755	$54,671	$55,587
G2	$45,954	$46,794	$47,635	$48,476	$49,316	$50,156	$50,998
G1	$42,160	$42,931	$43,702	$44,473	$45,244	$46,015	$46,787

AFSCME - UNION - G SCHEDULE (2.0% ADJUSTMENT)
EFFECTIVE JANUARY 1, 1997

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8
G7	$61,566	$62,884	$64,204	$65,523	$66,843	$68,162	$69,481	$70,801
G6	$56,482	$57,692	$58,903	$60,113	$61,323	$62,534	$63,744	$64,954
G5	$51,819	$52,929	$54,039	$55,153	$56,260	$57,371	$58,481	$59,591
G4	$47,540	$48,559	$49,577	$50,596	$51,615	$52,633	$53,652	$54,671
G3	$43,615	$44,549	$45,484	$46,418	$47,353	$48,288	$49,223	$50,156
G2	$40,014	$40,871	$41,728	$42,586	$43,443	$44,300	$45,040	$45,940
G1	$36,709	$37,497	$38,283	$39,070	$39,856	$40,642	$41,429	$42,217

GRADE	STEP 9	STEP 10	STEP 11	STEP 12	STEP 13	STEP 14	STEP 15
G7	$72,119	$73,439	$74,758	$76,078	$77,396	$78,716	$80,036
G6	$66,164	$67,375	$68,585	$69,795	$71,006	$72,217	$73,427
G5	$60,702	$61,812	$62,922	$64,032	$65,144	$66,254	$67,364
G4	$55,690	$56,708	$57,727	$58,746	$59,765	$60,783	$61,802
G3	$51,091	$52,026	$52,961	$53,896	$54,830	$55,764	$56,699
G2	$46,873	$47,730	$48,588	$49,445	$50,302	$51,159	$52,018
G1	$43,003	$43,789	$44,576	$45,362	$46,149	$46,935	$47,723

AFSCME - UNION - G SCHEDULE (2.0% ADJUSTMENT)
EFFECTIVE JULY 1, 1997

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8
G7	$62,797	$64,142	$65,488	$66,833	$68,179	$69,526	$70,871	$72,217
G6	$57,612	$58,846	$60,081	$61,315	$62,550	$63,784	$65,019	$66,253
G5	$52,855	$53,988	$55,120	$56,256	$57,385	$58,518	$59,651	$60,783
G4	$48,491	$49,530	$50,569	$51,607	$52,647	$53,686	$54,725	$55,765
G3	$44,487	$45,440	$46,393	$47,347	$48,300	$49,254	$50,207	$51,160
G2	$40,814	$41,688	$42,562	$43,438	$44,312	$45,186	$45,941	$46,859
G1	$37,443	$38,247	$39,049	$39,851	$40,653	$41,455	$42,257	$43,061

GRADE	STEP 9	STEP 10	STEP 11	STEP 12	STEP 13	STEP 14	STEP 15
G7	$73,562	$74,908	$76,253	$77,599	$78,944	$80,290	$81,636
G6	$67,488	$68,722	$69,957	$71,191	$72,426	$73,661	$74,896
G5	$61,916	$63,048	$64,181	$65,313	$66,447	$67,579	$68,711
G4	$56,804	$57,842	$58,881	$59,921	$60,960	$61,999	$63,039
G3	$52,113	$53,066	$54,020	$54,973	$55,927	$56,879	$57,833
G2	$47,810	$48,685	$49,560	$50,434	$51,308	$52,183	$53,058
G1	$43,863	$44,665	$45,467	$46,270	$47,072	$47,874	$48,677

AFSCME - UNION - G SCHEDULE (3.0% ADJUSTMENT)
EFFECTIVE JANUARY 1, 1998

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8
G7	$64,681	$66,066	$67,453	$68,838	$70,225	$71,611	$72,997	$74,383
G6	$59,340	$60,612	$61,883	$63,155	$64,426	$65,698	$66,969	$68,241
G5	$54,441	$55,607	$56,774	$57,944	$59,106	$60,274	$61,440	$62,607
G4	$49,946	$51,016	$52,086	$53,156	$54,227	$55,297	$56,367	$57,438
G3	$45,822	$46,803	$47,785	$48,767	$49,749	$50,731	$51,713	$52,694
G2	$42,038	$42,939	$43,839	$44,741	$45,642	$46,542	$47,319	$48,265
G1	$38,566	$39,394	$40,220	$41,046	$41,873	$42,699	$43,525	$44,353

GRADE	STEP 9	STEP 10	STEP 11	STEP 12	STEP 13	STEP 14	STEP 15
G7	$75,769	$77,155	$78,541	$79,927	$81,312	$82,699	$84,086
G6	$69,512	$70,784	$72,055	$73,327	$74,599	$75,871	$77,143
G5	$63,773	$64,940	$66,106	$67,272	$68,440	$69,606	$70,773
G4	$58,508	$59,578	$60,648	$61,719	$62,789	$63,859	$64,930
G3	$53,676	$54,658	$55,641	$56,623	$57,605	$58,586	$59,568
G2	$49,245	$50,145	$51,047	$51,947	$52,848	$53,748	$54,650
G1	$45,179	$46,005	$46,831	$47,658	$48,484	$49,310	$50,138

AFSCME G SCHEDULE, ADMINISTRATIVE PROFESSIONAL POSITIONS

Director, Highway Operations	G-4	Building/Zoning Commissioner	G-1
Data Processing Manager	G-3	Director, Public Health	G-3
Town Planner	G-2	Town Surveyor	G-3
Treasurer/Collector	G-2	Assistant Assessor	G-1
Conservation Administrator	G-1	Executive Director, Council on Aging	G-1
Director, Youth & Adolescent Services	G-2		

AFSCME - UNION - SG SCHEDULE (2% ADJUSTMENT)
EFFECTIVE JANUARY 1, 1996

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8
SG7	$35,203	$35,957	$36,712	$37,466	$38,220	$38,974	$39,729	$40,483
SG6	$32,595	$33,294	$33,992	$34,690	$35,389	$36,088	$36,786	$37,484
SG5	$30,181	$30,827	$31,474	$32,121	$32,768	$33,415	$34,062	$34,708
SG4	$27,945	$28,544	$29,143	$29,742	$30,341	$30,939	$31,538	$32,137
SG3	$25,876	$26,430	$26,984	$27,538	$28,093	$28,648	$29,202	$29,757
SG2	$23,958	$24,472	$24,985	$25,498	$26,012	$26,526	$27,039	$27,552
SG1	$22,184	$22,659	$23,134	$23,609	$24,085	$24,560	$25,036	$25,511

GRADE	STEP 9	STEP 10	STEP 11	STEP 12	STEP 13	STEP 14	STEP 15
SG7	$41,237	$41,991	$42,746	$43,501	$44,255	$45,010	$45,764
SG6	$38,182	$38,882	$39,580	$40,278	$40,977	$41,675	$42,373
SG5	$35,354	$36,001	$36,648	$37,295	$37,941	$38,588	$39,235
SG4	$32,736	$33,335	$33,934	$34,532	$35,131	$35,730	$36,329
SG3	$30,311	$30,865	$31,419	$31,975	$32,529	$33,083	$33,638
SG2	$28,065	$28,579	$29,093	$29,606	$30,119	$30,633	$31,146
SG1	$25,986	$26,462	$26,937	$27,413	$27,888	$28,363	$28,839

AFSCME - UNION - SG SCHEDULE (1% ADJUSTMENT)
EFFECTIVE JULY 1, 1996

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8
SG7	$35,555	$36,317	$37,079	$37,841	$38,602	$39,364	$40,126	$40,888
SG6	$32,921	$33,626	$34,332	$35,037	$35,743	$36,449	$37,154	$37,859
SG5	$30,482	$31,136	$31,789	$32,442	$33,096	$33,749	$34,402	$35,055
SG4	$28,225	$28,829	$29,434	$30,039	$30,644	$31,249	$31,854	$32,458
SG3	$26,134	$26,694	$27,254	$27,814	$28,374	$28,934	$29,494	$30,054
SG2	$24,197	$24,717	$25,235	$25,753	$26,272	$26,791	$27,309	$27,828
SG1	$22,406	$22,885	$23,365	$23,845	$24,326	$24,806	$25,286	$25,766

GRADE	STEP 9	STEP 10	STEP 11	STEP 12	STEP 13	STEP 14	STEP 15
SG7	$41,650	$42,411	$43,173	$43,936	$44,698	$45,460	$46,222
SG6	$38,564	$39,271	$39,976	$40,681	$41,386	$42,092	$42,797
SG5	$35,708	$36,361	$37,014	$37,667	$38,321	$38,974	$39,627
SG4	$33,063	$33,668	$34,273	$34,878	$35,482	$36,087	$36,692
SG3	$30,614	$31,174	$31,734	$32,294	$32,854	$33,414	$33,974
SG2	$28,346	$28,865	$29,383	$29,902	$30,420	$30,939	$31,458
SG1	$26,246	$26,726	$27,207	$27,687	$28,167	$28,647	$29,127

AFSCME - UNION - SG SCHEDULE (2% ADJUSTMENT)
EFFECTIVE JANUARY 1, 1997

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8
SG7	$36,266	$37,043	$37,820	$38,597	$39,374	$40,151	$40,929	$41,706
SG6	$33,580	$34,299	$35,018	$35,738	$36,458	$37,178	$37,897	$38,616
SG5	$31,092	$31,758	$32,425	$33,091	$33,757	$34,424	$35,090	$35,757
SG4	$28,789	$29,406	$30,023	$30,640	$31,257	$31,874	$32,491	$33,108
SG3	$26,657	$27,228	$27,799	$28,370	$28,941	$29,513	$30,084	$30,655
SG2	$24,681	$25,211	$25,740	$26,268	$26,797	$27,327	$27,856	$28,384
SG1	$22,854	$23,343	$23,833	$24,322	$24,812	$25,302	$25,792	$26,281

GRADE	STEP 9	STEP 10	STEP 11	STEP 12	STEP 13	STEP 14	STEP 15
SG7	$42,483	$43,260	$44,037	$44,815	$45,592	$46,369	$47,146
SG6	$39,336	$40,056	$40,775	$41,495	$42,214	$42,933	$43,653
SG5	$36,422	$37,088	$37,754	$38,421	$39,087	$39,754	$40,420
SG4	$33,724	$34,341	$34,958	$35,575	$36,192	$36,809	$37,426
SG3	$31,226	$31,797	$32,368	$32,940	$33,511	$34,082	$34,653
SG2	$28,913	$29,443	$29,971	$30,500	$31,028	$31,558	$32,087
SG1	$26,771	$27,261	$27,751	$28,240	$28,730	$29,220	$29,710

AFSCME - UNION - SG SCHEDULE (2% ADJUSTMENT)
EFFECTIVE JULY 1, 1997

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8
SG7	$36,992	$37,784	$38,577	$39,369	$40,162	$40,955	$41,747	$42,540
SG6	$34,251	$34,985	$35,719	$36,452	$37,187	$37,921	$38,655	$39,389
SG5	$31,714	$32,394	$33,073	$33,753	$34,433	$35,112	$35,792	$36,472
SG4	$29,365	$29,994	$30,623	$31,253	$31,882	$32,511	$33,140	$33,770
SG3	$27,190	$27,773	$28,355	$28,937	$29,520	$30,103	$30,686	$31,268
SG2	$25,175	$25,715	$26,255	$26,794	$27,333	$27,873	$28,413	$28,952
SG1	$23,311	$23,810	$24,309	$24,809	$25,308	$25,808	$26,307	$26,807

GRADE	STEP 9	STEP 10	STEP 11	STEP 12	STEP 13	STEP 14	STEP 15
SG7	$43,332	$44.125	$44,917	$45,711	$46,504	$47,296	$48,089
SG6	$40,122	$40,857	$41,591	$42,325	$43,058	$43,792	$44,526
SG5	$37,150	$37,830	$38,510	$39,189	$39,869	$40,549	$41,228
SG4	$34,399	$35,028	$35,657	$36,287	$36,916	$37,545	$38,174
SG3	$31,851	$32,433	$33,016	$33,599	$34,182	$34,764	$35,346
SG2	$29,491	$30,031	$30,571	$31,110	$31,649	$32,189	$32,729
SG1	$27,307	$27,806	$28,306	$28,805	$29,305	$29,804	$30,304

AFSCME - UNION - SG SCHEDULE (3% ADJUSTMENT)
EFFECTIVE JANUARY 1, 1998

GRADE	STEP 1	STEP 2	STEP 3	STEP 4	STEP 5	STEP 6	STEP 7	STEP 8
SG7	$38,101	$38,918	$39,734	$40,550	$41,367	$42,183	$42,999	$43,816
SG6	$35,279	$36,035	$36,790	$37,546	$38,303	$39,059	$39,814	$40,570
SG5	$32,665	$33,365	$34,065	$34,765	$35,466	$36,166	$36,866	$37,566
SG4	$30,246	$30,894	$31,542	$32,190	$32,838	$33,487	$34,135	$34,783
SG3	$28,006	$28,606	$29,206	$29,806	$30,405	$31,007	$31,606	$32,206
SG2	$25,930	$26,487	$27,042	$27,598	$28,153	$28,710	$29,265	$29,820
SG1	$24,011	$24,524	$25,039	$25,553	$26,068	$26,582	$27,097	$27,611

GRADE	STEP 9	STEP 10	STEP 11	STEP 12	STEP 13	STEP 14	STEP 15
SG7	$44,632	$45,449	$46,265	$47,082	$47,899	$48,715	$49,532
SG6	$41,326	$42,083	$42,839	$43,594	$44,350	$45,106	$45,862
SG5	$38,265	$38,965	$39,665	$40,365	$41,065	$41,765	$42,465
SG4	$35,431	$36,079	$36,727	$37,375	$38,023	$38,672	$39,320
SG3	$32,806	$33,406	$34,006	$34,607	$35,207	$35,807	$36,407
SG2	$30,376	$30,932	$31,488	$32,043	$32,598	$33,155	$33,710
SG1	$28,126	$28,640	$29,155	$29,669	$30,184	$30,699	$31,213

AFSCME SG SCHEDULE, NON-ADMINISTRATIVE PROFESSIONAL POSITIONS

Solid Waste Facility Supervisor	SG-6	Waste Water Facility Supervisor	SG-7
Surveying Computer Specialist	SG-7	Sanitarian/Health Agent	SG-5
Asst. Dir., Youth & Adolescent Services	SG-5	Office Assistant, Board of Assessors	SG-2
Dog Officer	SG-2		

WATER - UNION — Effective January 1, 1996 (2% Adjustment)

Title	Minimum	Step 1	Step 2	Step 3
Water Craftsman I	$26,237	$27,351	$28,303	$29,359
Water Craftsman II	$30,403	$31,402	$32,705	$33,912
Working Foreman	$33,415	$35,006	$36,492	$37,977
Water Foreman	$35,016	$36,690	$38,365	$40,043

WATER - UNION — Effective July 1, 1996 (1% Adjustment)

Title	Minimum	Step 1	Step 2	Step 3
Water Craftsman I	$26,499	$27,625	$28,586	$29,653
Water Craftsman II	$30,707	$31,716	$33,032	$34,251
Working Foreman	$33,749	$35,356	$36,857	$38,357
Water Foreman	$35,366	$37,057	$38,749	$40,443

WATER - UNION — Effective January 1, 1997 (2% Adjustment)

Title	Minimum	Step 1	Step 2	Step 3
Water Craftsman I	$27,029	$28,177	$29,158	$30,246
Water Craftsman II	$31,321	$32,350	$33,693	$34,936
Working Foreman	$34,424	$36,063	$37,594	$39,124
Water Foreman	$36,073	$37,798	$39,524	$41,252

WATER - UNION — Effective July 1, 1997 (2% Adjustment)

Title	Minimum	Step 1	Step 2	Step 3
Water Craftsman I	$27,570	$28,741	$29,741	$30,851
Water Craftsman II	$31,948	$32,997	$34,367	$35,635
Working Foreman	$35,113	$36,784	$38,346	$39,906
Water Foreman	$36,795	$38,554	$40,314	$42,077

WATER - UNION — Effective January 1, 1998 (3% Adjustment)

Title	Minimum	Step 1	Step 2	Step 3
Water Craftsman I	$28,397	$29,603	$30,633	$31,776
Water Craftsman II	$32,906	$33,987	$35,398	$36,704
Working Foreman	$36,166	$37,888	$39,496	$41,104
Water Foreman	$37,899	$39,711	$41,524	$43,340

ARTICLE 5: FY99 OMNIBUS BUDGET

Proposed by: Finance Committee

To determine what sum of money the Town will appropriate for the operation and expenses of the Town, including capital expenditures for equipment, improvements, or other purposes, and to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing, or otherwise.

FINANCE COMMITTEE COMMENTS: See Finance Committee report elsewhere in this Warrant.

ARGUMENTS IN FAVOR: This budget reflects the true cost of operating the Town in an efficient manner in order to deliver requested services to the citizens of Wayland.

ARGUMENTS OPPOSED: This budget might possibly be considered to be excessive. Alternately, this budget might possibly be considered insufficient to provide for all necessary services.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority - see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds - see Chapter 44, Section 7.

Motion Under Article 5.

For what it considers to be the proper management of the Town and its finances, the Finance Committee makes the following recommendations, and they are, therefore, incorporated under the motion to be made under Article 5 at the Annual Town Meeting, as follows:

"That the Executive Secretary be charged with responsibility for (1) the operation, maintenance, and administration of the Wayland Town Building, the Public Safety Building, and the Cochituate Town Building, their equipment, and their grounds, as well as (2) the supervision, except for matters relating to policy, of all employees in those buildings, other than elected officials, non-salaried appointed officials, and employees of the School Department;

"That the appropriation under Conservation Commission for 'Conservation Fund' be maintained as a fund against future purchases and not be expended without future vote of the Finance Committee and Board of Selectmen;

"That the appropriation for 'Hydrant Rental' of $18,000 for the Water Department granted in the budget be transferred to 'Water Available Surplus';

"That the Office of the Town Clerk be continued on a salary basis and that all fees from whatever source derived be turned over to the Town as Town income;

"That all fees, wages, or payments made to the Tree Warden, from whatever source, be turned over to the Town as Town income;

"That the Director of Youth and Adolescent Services and Staff be under the jurisdiction of the Youth Advisory Committee which shall report to the Town on the activities of the Director of Youth and Adolescent Services and Staff at the Annual Town Meeting. The Director of Youth and Adolescent Services and Staff will receive administrative support from the School Department."

	BUDGET	EXPENDED FY 1997	APPROPRIATED FY 1998	REQUESTED FY 1999
	SELECTMEN			
1	SALARIES	$1,000	$500	$500
2	EXPENSE	$13,546	$13,653	$15,791
3	MISCELLANEOUS	$0	$0	$10,000
3A	CABLE COMMITTEE	$0	$0	$5,000
	TOTAL SELECTMEN	$14,546	$14,153	$31,291
	EMERGENCY MANAGEMENT			
4	EXPENSES	$10,162	$12,000	$5,000
5	TRAINING	$0	$0	$2,000
	TOTAL EMERGEN MNGMNT	$10,162	$12,000	$7,000
	TOWN OFFICE			
	SALARIES:			
	EXECUTIVE SECRETARY	$62,999	$67,420	$66,198
	PERSONNEL DIRECTOR	$48,470	$51,394	$53,184
	FIN. DIR./TOWN ACCT.	$72,618	$76,626	$79,083
	OFFICE ADMIN	$36,378	$38,407	$39,319
	S. SCHEDULE	$29,736	$32,412	$33,526
	CLERICAL	$70,697	$80,833	$82,794
	OVERTIME/LONGEVITY	$6,126	$2,000	$2,000
6	TOTAL SALARIES	$327,024	$349,092	$356,104
7	EXPENSE	$47,429	$45,800	$46,500
8	EQUIPMENT	$4,255	$5,000	$4,300
9	TELEPHONES	$71,887	$48,000	$50,000
10	CONTRACT SERVICES	$10,800	$12,500	$12,500
11	PERSONNEL BD EXPENSE	$10,400	$2,900	$6,650
12	PERSONNEL BD ADJ FUND	$0	$7,500	$6,355
	TOTAL TOWN OFFICE	$471,795	$470,792	$482,409
	WAYLAND TOWN BUILDING			
13	SALARIES	$65,585	$67,419	$68,767
14	BUILDING UTILITIES	$96,093	$100,000	$98,913
15	EXPENSE	$24,379	$22,100	$22,850
16	CODE REPAIRS	$0	$7,000	$0
	TOTAL TOWN BUILDING	$186,057	$196,519	$190,530
	OTHER TOWN BUILDG-COCHIT			
17	EXPENSES	$15,000	$15,000	$15,000
	DATA PROCESSING			
	MANAGER	$34,753	$38,688	$39,041
	COMPUTER OPERATOR	$2,000	$2,000	$2,000
18	TOTAL SALARIES	$36,753	$40,688	$41,041
	EXPENSES			
19	FORMS, SUPPLIES	$21,938	$18,861	$21,375
20	EDUCATION/TRAVEL	$150	$150	$150
	EQUIPMENT			
21	RENTAL AND REPAIRS	$11,037	$14,000	$11,750
22	NEW APPLICATIONS/EQ.	$4,236	$3,000	$10,000
23	COMPUTER EQ./UPDATE	$9,637	$10,000	$7,500

	BUDGET	EXPENDED FY 1997	APPROPRIATED FY 1998	REQUESTED FY 1999
24	PROFESSIONAL SERVICES	$11,583	$15,244	$21,962
	TOTAL DATA PROCESSING	$95,334	$101,943	$113,778
	TREASURER/COLLECTOR			
	TREASURER/COL. SALARY	$48,921	$53,137	$54,650
	CLERICAL SALARY	$72,770	$76,797	$78,902
25	TOTAL SALARIES	$121,691	$129,934	$133,552
	EXPENSES:			
26	OPERATING EXPENSE	$4,240	$4,267	$4,925
27	TAX TITLE EXPENSE	$310	$7,480	$6,220
28	EXCISE TAX PROGRAM	$1,696	$0	$0
29	BANKING SERVICES	$12,949	$14,400	$15,103
30	LOCK BOX SEVICES	$10,907	$11,971	$12,371
31	MAILING SERVICE	$0	$1,700	$1,775
	TOTAL TREAS/COLLECTOR	$151,793	$169,752	$173,946
	ASSESSORS			
32	SALARIES	$4,599	$4,600	$4,600
33	PROF/CLERICAL	$89,782	$99,975	$108,295
34	EXPENSE	$3,926	$5,000	$6,000
35	PROF SERVICES	$10,047	$18,000	$10,302
36	OTHER EXPENSE	$2,722	$1,800	$1,800
37	EQUIPMENT,MAINT,SOFTWARE	$0	$5,000	$5,000
38	SPEC BDGT ITEM-PROP. REASSMNT	$46,113	$35,000	$35,000
	TOTAL ASSESSORS	$157,189	$169,375	$170,997
39	FINANCE COMMITTEE	$0	$160	$160
	TOWN COUNSEL			
	PROFESSIONAL SERVICES			
	SPECIAL COUNSEL	$28,918	$31,500	$26,050
	PROFESSIONAL SERVICES	$150	$0	$0
	TOWN COUNSEL	$47,384	$38,220	$45,950
	MISCELLANEOUS	$0	$1,380	$0
	TOTAL PROFESSIONAL SERVICES	$76,452	$71,100	$72,000
	TAX TITLE	$500	$0	$0
	LEGAL EXPENSES	$2,515	$0	$3,000
40	TOTAL TOWN COUNSEL	$79,467	$71,100	$75,000
	REGISTRARS			
	SALARY	$538	$675	$675
	LISTING	$1,385	$1,500	$1,500
41	TOTAL REGISTRARS	$1,923	$2,175	$2,175
	TOWN CLERK			
42	TOWN CLERK SALARY	$42,400	$44,308	$46,300
43	TOWN CLERK ADDED COMP	$400	$400	$400
44	CLERICAL	$28,599	$31,021	$31,203
45	CODIFICATION BY LAWS	$3,400	$0	$2,000
46	EXPENSE	$2,707	$6,800	$7,515
	TOTAL TOWN CLERK	$77,506	$82,529	$87,418

	BUDGET	EXPENDED FY 1997	APPROPRIATED FY 1998	REQUESTED FY 1999
	ELECTIONS			
47	OFFICERS SALARIES	$6,568	$6,861	$6,932
48	EXPENSE	$3,010	$2,607	$3,150
	TOTAL ELECTIONS	$9,578	$9,468	$10,082
	PLANNING BOARD			
49	EXPENSE	$8,759	$8,759	$8,759
50	PLANNING ADMINISTRATOR SAL	$50,074	$56,032	$54,650
51	EQUIPMENT MAINTENANCE	$0	$0	$250
52	COMPUTER UPGRADES	$0	$0	$1,500
	TOTAL PLANNING BOARD	$58,833	$64,791	$65,159
	TOWN SURVEYOR			
	TOWN SURVEYOR SAL	$44,318	$47,400	$51,100
	SURVEY/COMP SPEC SAL	$23,676	$38,700	$41,700
53	TOTAL SALARIES	$67,994	$86,100	$92,800
54	EXPENSE	$3,270	$3,400	$3,250
55	VEHICLE EXPENSE	$82	$400	$400
56	COMPUTER/COPIER MAINT.	$3,094	$2,500	$2,500
57	VEHICLE MAINTENANCE	$100	$0	$500
58	IMPLEMNT. ASST.	$9,916	$9,000	$0
59	PLAN STORAGE	$4,863	$5,000	$0
60	COMPUTER UPGRADE	$0	$0	$2,000
	TOTAL TOWN SURVEYOR	$89,319	$106,400	$101,450
	CONSERVATION			
61	EXPENSE	$6,193	$7,193	$7,193
62	VEHICLE GAS EXPENSE	$52	$0	$0
63	PROF SERVICES/MISC	$1,168	$12,000	$2,000
64	SALARIES	$55,456	$49,199	$54,825
	TOTAL CONSERVATION	$62,869	$68,392	$64,018
	HISTORICAL COMMISSION			
65	EXPENSE	$100	$1,114	$1,114
	TOTAL HISTORICAL COMMISSION	$100	$1,114	$1,114
	SURFACE WATER QUALITY COM			
66	MILFOIL TREATMENT	$0	$2,500	$1,200
67	SURFACE WATER QUALITY	$3,650	$3,600	$1,700
	TOTAL SURFACE WATER QUALITY	$3,650	$6,100	$2,900
68	HISTORIC DISTRICT COMM	$176	$175	$275
	COUNCIL ON AGING			
69	SALARIES	$60,467	$84,317	$83,940
70	OPERATING EXPENSE	$4,492	$4,500	$5,000
71	TAX WORK-OFF PROGRAM	$13,750	$15,000	$15,000
72	EQUIPMENT	$456	$400	$400
73	TRANSPORTATION	$27,833	$28,500	$29,250
	TOTAL COUNCIL ON AGING	$106,998	$132,717	$133,590
	TOTAL GENERAL GOVERNMENT	$1,592,295	$1,694,655	$1,728,292

	BUDGET	EXPENDED FY 1997	APPROPRIATED FY 1998	REQUESTED FY 1999
	POLICE			
	SALARIES			
	POLICE CHIEF SALARY	$64,493	$66,566	$70,427
	LIEUTENANT SALARY	$58,449	$51,531	$52,293
	YOUTH OFFICER SAL	$45,596	$0	$0
	SERGEANTS SALARY	$198,226	$228,877	$316,526
	DETECTIVES SAL	$152,170	$0	$0
	SPECIALISTS	$0	$188,301	$191,080
	PATROLMEN SAL	$425,680	$372,299	$300,525
	INTERNS SAL	$6,903	$6,396	$6,396
	OVERTIME SAL	$139,760	$96,303	$101,118
	HOLIDAY SAL	$47,917	$60,557	$71,790
	SCHOOL TRAFFIC SUPR	$19,576	$21,063	$26,706
	COURT TIME	$11,499	$12,000	$12,000
	CLERK	$31,798	$33,042	$33,536
	TUITION REIMB	$0	$4,500	$4,500
	NIGHT DIFFERENTIAL	$37,741	$24,794	$23,651
	LONGEVITY	$0	$4,150	$3,400
	PROFESSIONAL STIPEND	$0	$16,301	$16,545
	ED. INCENTIVE	$0	$63,403	$69,033
1	TOTAL SALARIES	$1,239,808	$1,250,083	$1,299,526
	EXPENSE:			
2	OPERATING EXPENSE	$11,763	$11,850	$11,850
3	UNIFORM EXPENSE	$15,499	$15,450	$18,833
4	TRAINING EXPENSE	$34,914	$35,360	$50,360
5	YOUTH OFFICER EXPENSE	$800	$0	$0
6	CRIME PREVENTION	$784	$0	$0
7	SPECIAL SERVICES	$500	$2,100	$2,100
8	ANNUAL PHYSICALS	$2,000	$2,000	$4,000
9	OUT-OF-STATE TRAVEL	$1,300	$1,500	$1,500
10	PUBLIC SAFETY COMPUTER	$5,000	$0	$0
11	LINE PAINTING	$9,033	$12,000	$12,000
	EQUIPMENT			
12	POLICE CARS PURCHASE	$61,443	$62,862	$102,000
13	VEHICLE OPERATION EXPENSE	$14,931	$15,000	$15,000
14	NEW EQUIPMENT,MISC,OFFICE	$3,630	$4,000	$4,000
15	OTHER EQUIPMENT	$1,019	$400	$0
16	EQUIPMENT MAINT & REPAIR	$4,652	$5,600	$6,100
17	VEHICLE GASOLINE	$21,000	$21,000	$21,000
18	COMPUTER MAINTENANCE	$0	$5,000	$5,000
19	EQUIPMENT RENTAL	$0	$0	$400
20	RETIREMENT EXPENSE	$0	$0	$19,239
	TOTAL POLICE DEPT.	$1,428,076	$1,444,205	$1,572,908
	FIRE			
	SALARIES			
	CHIEF SALARY	$64,935	$69,891	$70,924
	DEPUTY CHIEF SAL	$46,859	$48,527	$49,244
	CAPTAINS SAL	$281,622	$131,151	$133,089
	LIEUTENANTS SAL	$0	$159,652	$162,012
	FIREFIGHTERS SAL	$556,301	$586,754	$596,258
	INCENTIVE & EMT	$54,900	$49,450	$49,550
	OVERTIME	$96,757	$81,000	$87,000
	CALLBACK PAY	$12,619	$12,500	$13,000
	HOLIDAY PAY	$47,302	$48,919	$49,878
	CALLMEN HOURLY	$3,189	$5,000	$5,000
	CALLMEN ANNUALLY	$2,300	$4,400	$4,400

	BUDGET	EXPENDED FY 1997	APPROPRIATED FY 1998	REQUESTED FY 1999
	CLERICAL PART TIME	$8,742	$13,500	$8,500
	CALLBACK PAY: AMBULANCE	$22,321	$23,500	$24,000
	CLERICAL	$0	$0	$13,500
21	TOTAL SALARIES	$1,197,847	$1,234,244	$1,266,355
22	OPERATING EXPENSE	$9,402	$9,400	$9,400
23	AMBULANCE EXPENSE	$6,897	$8,000	$8,000
24	FIRE ALARM SYSTEM EXPENSE	$3,526	$3,400	$3,400
25	TRAINING AND EDUCATION	$7,999	$8,000	$8,000
26	UNIFORM EXPENSE	$20,419	$15,500	$15,500
27	PHYSICAL EXAMS	$1,851	$5,100	$5,100
	EQUIPMENT			
28	MISC. EQUIPMENT & HOSE	$13,996	$14,000	$12,000
29	EQUIPMENT MAINTENANCE	$10,980	$11,000	$11,000
30	EQUIPMENT RENTAL	$349	$500	$500
31	VEHICLE GASOLINE	$6,650	$8,000	$7,000
32	COMPUTER MAINTENANCE	$4,920	$5,000	$5,000
	TOTAL FIRE DEPT.	$1,284,836	$1,322,144	$1,351,255
	INSPECTION/BUILDING			
	SALARIES			
	BLDG.&ZONING INSP.SAL	$41,825	$44,512	$47,864
	DEP BLDG INSP	$11,880	$14,697	$15,288
	SUB INSPECTOR SAL	$986	$0	$0
	WIRING INSPECTOR	$17,409	$18,109	$18,109
	GAS INSPECTOR	$0	$18,109	$15,288
	PLUMBING INSPECTOR	$17,080	$0	$0
	CLERICAL	$45,723	$48,304	$49,194
	DEPUTY PLUMBING/GAS	$0	$682	$700
	DEPUTY WIRING	$0	$682	$700
	SEALER OF WEIGHTS,MEAS	$464	$500	$550
33	TOTAL SALARIES	$135,367	$145,595	$147,693
	EXPENSE:			
34	BUILDING & ZONING EXPENSE	$4,650	$5,000	$5,500
35	INSPECTORS EXPENSE	$2,950	$2,950	$3,168
36	ZONING BOARD EXPENSE	$800	$1,600	$2,100
37	PROFESSIONAL SERVICE	$0	$0	$0
38	ZONING BY-LAWS COMMITTEE	$0	$0	$0
39	COMPUTER UPDATE	$2,400	$0	$3,200
	EQUIPMENT			
40	VEHICLE EXPENSE	$861	$1,000	$1,000
41	VEHICLE GASOLINE	$552	$360	$400
42	COPIER	$0	$5,000	$0
43	CAR REPLACEMENT	$0	$1,000	$0
	TOTAL INSPECTION	$147,580	$162,505	$163,061
	DOG OFFICER:			
44	DOG OFFICER SALARY	$29,846	$31,464	$33,710
45	DOG OFFICER EXPENSE	$1,429	$1,700	$2,200
46	BOARD VET FEES	$2,591	$2,870	$2,870
47	VEHICLE GASOLINE	$559	$700	$700
	TOTAL DOG OFFICER	$34,425	$36,734	$39,480
	JOINT COMMUNICATIONS			
51	DISPATCHERS SAL	$272,281	$274,577	$290,256
52	OPERATING EXPENSE	$20,160	$14,135	$14,135

	BUDGET	EXPENDED FY 1997	APPROPRIATED FY 1998	REQUESTED FY 1999
53	BLDG. EXPENSE,MAINT,REPAIR	$5,480	$12,600	$12,600
54	BLDG. EXP UTILITIES	$77,690	$47,400	$47,400
55	COMPUTER LICENSE	$0	$5,000	$5,000
56	UNIFORM ALLOWANCE	$0	$1,600	$1,600
57	REPAIRS PUBLIC SAFETY BLDG.	$5,439	$10,000	$13,000
	TOTAL JOINT COMM	$381,050	$365,312	$386,207
	TOTAL PROTECTION	$3,128,387	$3,330,900	$3,512,911
	BOARD OF HEALTH			
	SALARIES:			
	BOARD MEMBERS	$250	$250	$250
	ADMINISTRATIVE ASSISTANT	$29,779	$30,928	$30,983
	ADMINISTRATIVE ASSISTANT OT	$0	$1,500	$1,500
	SUB SECRETARY	$504	$1,000	$1,000
	ANIMAL INSPECTOR	$450	$450	$450
	HEALTH DIRECTOR	$47,707	$47,424	$54,658
	ANIMAL CONTROL OFFICER	$7,862	$7,862	$7,862
	SANITARY INSPECTOR	$31,391	$33,936	$33,774
	PART-TIME CLERICAL	$0	$12,700	$12,165
1	TOTAL SALARIES	$117,943	$136,050	$142,642
	EXPENSES:			
2	OFFICE EXPENSE	$4,939	$6,000	$6,000
3	IN STATE TRAVEL EXPENSE	$929	$1,380	$1,380
4	FRINGE BENEFITS	$604	$1,980	$1,980
	CONTRACT/PROF SERVICES:			
5	MENTAL HEALTH CLINICS	$37,430	$37,430	$37,430
6	COMMUNITY NURSING CARE	$126,247	$126,247	$175,000
7	MOSQUITO CONTROL	$27,099	$27,924	$28,989
8	PROFESSIONAL SERVICES	$2,823	$0	$0
9	VEHICLE OPERATION/MAINT	$998	$1,200	$1,200
10	VEHICLE PURCHASE	$2,000	$0	$0
	SPECIAL BUDGET ITEMS:			
11	WATER QUALITY STUDY	$425	$3,500	$3,500
12	HAZARDOUS WASTE MGT	$11,076	$10,000	$10,000
13	SANITARIAN & ENVIRON	$0	$3,000	$0
14	CONSULTING ENGINEER	$0	$11,000	$2,500
15	FOOD INSPECTOR	$0	$0	$3,000
	TOTAL BOARD OF HEALTH	$332,513	$365,711	$413,621
	HIGHWAY			
	SALARIES:			
	DIRECTOR OF HIGHWAY	$58,611	$63,411	$68,440
	CLERK SALARY	$45,408	$36,033	$43,043
	HIGHWAY LABOR SALARY	$402,480	$453,856	$443,567
	OVERTIME,LABOR	$0	$40,000	$40,000
1	TOTAL SALARIES	$506,499	$593,300	$595,050
	MAINTENANCE:			
2	MAINTENANCE OF ROADS	$74,641	$25,000	$25,000
3	MAINTENANCE OF EQUIPMENT	$59,987	$65,000	$65,000
4	SNOW REMOVAL	$96,372	$51,000	$51,000
5	SNOW REMOVAL/PRIVATE WAYS	$4,637	$7,000	$7,000
6	UNIFORMS/OTHER FRINGE	$12,969	$14,100	$14,000
	CONTRACT/PROFESSIONAL SRVCS			

	BUDGET	EXPENDED FY 1997	APPROPRIATED FY 1998	REQUESTED FY 1999
7	CONTRACT BASIN CLEANING	$16,000	$19,000	$20,000
8	ROAD RESURFACING	$112,650	$105,400	$126,500
9	CRACK SEALING	$14,837	$15,000	$15,000
	EQUIPMENT			
10	EQUIPMENT MISC.	$8,154	$11,600	$10,000
11	HIGHWAY FUEL	$13,696	$15,000	$20,000
	BUILDING MAINTENANCE:			
12	HIGHWAY GARAGE REPAIR	$5,258	$11,000	$7,500
13	HIGHWAY GARAGE UTILITIES	$23,940	$26,000	$25,200
14	OFFICE EXPENSE	$6,596	$6,800	$7,000
	TOTAL HIGHWAY	$956,236	$965,200	$988,250
	HEALTH-LANDFILL			
1	SALARIES:	$146,705	$153,306	$161,800
2	EXPENSE:			
3	LEACHATE COLLECTION	$31,746	$42,550	$35,000
4	DISPOSAL OF WOOD	$15,157	$19,000	$19,000
5	FUEL	$0	$10,000	$10,000
	PROFESSIONAL SERVICES			
6	MISC. ENGINEERING	$10,974	$35,000	$31,460
	BUILDING:			
7	REPAIRS	$6,103	$7,700	$7,700
8	UTILITIES	$4,922	$6,000	$6,000
9	OTHER EXPENSE	$11,243	$12,000	$12,000
10	UNPAID BILLS	$2,127	$0	$0
11	MAINT REPAIRS	$33,248	$28,050	$28,050
12	LEASE EQUIPMENT	$74,041	$6,670	$10,210
13	OTHER EXPENSE: COVER	$4,282	$14,650	$14,650
14	MISC. EQUIPMENT	$7,748	$7,400	$7,400
	TOTAL LANDFILL	$348,296	$342,326	$343,270
	VETERANS BENEFITS			
1	VET BENEFIT APPROP	$3,396	$4,000	$4,000
2	MISCELLANEOUS	$45	$200	$200
3	SALARIES	$2,860	$2,850	$2,850
	TOTAL VETERANS BENEFITS	$6,301	$7,050	$7,050
	SCHOOLS			
1	REGULAR INSTRUCTION 1	$8,111,992	$9,607,415	$10,025,200
2	SPECIAL INSTRUCTION 2	$2,495,994	$2,936,611	$3,147,230
3	INSTRUCTIONAL SERVICES 3	$1,986,193	$2,281,395	$2,671,321
4	OPERATIONS SERVICES 4	$1,683,397	$1,756,385	$1,772,574
5	POLICY ADMIN. SERV. 5	$607,541	$696,263	$613,606
6	OUT OF STATE TRAVEL 6	$1,957	$15,570	$13,067
7	1996 UNPAID BILLS	$6,825	$0	$0
8	COMPUTERS, SITE REN., HANDICAP	$236,143	$0	$0
9	CONTRACT SERVICES	$659	$0	$0
	TOTAL SCHOOLS	$15,130,701	$17,293,639	$18,242,998
10	REGIONAL VOCATIONAL SCHOOL	$197,395	$96,375	$194,291
	DIRECTOR YOUTH SERVICES			
11	DIRECTOR YOUTH SERVICES	$47,055	$51,931	$54,164
12	ASSOC DIRECTOR YOUTH SER	$43,057	$47,902	$49,193

	BUDGET	EXPENDED FY 1997	APPROPRIATED FY 1998	REQUESTED FY 1999
13	TOTAL YOUTH SERV SAL	$90,112	$99,833	$103,357
14	EXPENSE	$2,964	$3,239	$3,709
15	AUTOMOBILE EXPENSE	$600	$350	$350
16	AUTOMOBILE REPAIR	$0	$600	$600
	TOTAL DIR YOUTH SERVICES	$93,676	$104,022	$108,016
	LIBRARY			
	SALARIES			
	LIBRARY DIRECTOR	$57,401	$60,415	$62,411
	ADM ASSISTANT	$30,301	$31,373	$32,513
	CHILDREN'S LIBRARIAN	$31,582	$33,187	$34,407
	ASST. CHILDREN'S LIBRARIAN	$27,485	$28,454	$29,497
	LIBRARY ASSISTANTS	$68,359	$73,048	$77,405
	PAGES SALARY	$7,368	$7,659	$12,800
	CLERKS SALARY	$21,190	$19,333	$25,872
	CUSTODIAN SALARY	$24,162	$25,478	$24,097
	REF LIBRARIAN/ PART TIME	$18,494	$22,810	$27,034
	ASSISTANT DIRECTOR	$41,568	$43,363	$35,631
	HEAD OF CIRCULATION	$32,455	$33,953	$35,130
	SATURDAY DIFFERENTIAL	$0	$1,300	$1,300
	EVEN DIFFERENTIAL	$0	$1,400	$1,400
1	TOTAL SALARIES	$360,365	$381,773	$399,497
2	OPERATING EXPENSE	$36,291	$41,900	$43,500
3	OUT OF STATE TRAVEL	$515	$550	$550
4	TUITION REIMBURSEMENT	$1,500	$1,500	$2,000
5	MATERIALS PURCHASE	$79,056	$85,800	$90,566
6	BUILDING REPAIRS	$4,080	$0	$0
7	LIBRARY AUTOMATION	$26,000	$30,000	$30,000
	SPECIAL ITEMS			
8	CARPETING	$0	$0	$10,000
9	COMPUTER UPGRADE	$0	$0	$5,400
10	NEW BOOK RETURN UNIT	$0	$0	$2,500
	TOTAL LIBRARY	$507,807	$541,523	$584,013
	PARK & RECREATION			
	SALARIES:			
	SUPERINTENDENT	$60,426	$63,213	$64,100
	LABOR	$236,568	$208,185	$237,083
	CLERICAL REGULAR	$29,264	$29,185	$29,994
1	TOTAL SALARIES	$326,258	$300,583	$331,177
	EXPENSE:			
2	REPAIRS & MISC.	$42,163	$41,835	$41,335
3	LANDSCAPE, MATERIAL & SUP	$8,401	$8,480	$36,527
4	UNIFORM EXPENSE	$3,621	$3,360	$4,280
5	TOWN POOL USE STUDY	$10,500		
6	TREE PLANTING	$835	$1,500	$1,500
7	PLAYGROUND SUPPLY	$4,348	$500	$500
8	TRAVEL & DUES IN STATE	$200	$500	$500
9	TRAVEL OUT OF STATE	$323	$1,050	$1,050
	EQUIPMENT			
10	MISC SMALL EQUIPMENT	$1,505	$1,000	$1,000
11	REPAIR SUPPLY & EQUIP	$0	$4,500	$4,500
	BUILDING REPAIRS			
12	LIGHTING, ETC.	$3,497	$3,650	$3,650

	BUDGET	EXPENDED FY 1997	APPROPRIATED FY 1998	REQUESTED FY 1999
	CONTRACT/PROF SERVICES			
13	SITE ASSESSMENT	$0	$0	$0
14	TREE TRIMMING	$59,269	$18,000	$18,000
15	PUBLIC WORKS EXPENSE	$1,987	$2,000	$2,000
16	DUTCH ELM DISEASE EXP	$493	$800	$800
17	DEV. CEMETERY LAND	$9,250	$0	$0
	TOTAL PARK & RECREATION	$472,650	$387,758	$446,819
18	FEE SUPPORTED PROGRAMS	$271,768	$340,000	$340,000
	UNCLASSIFIED			
1	INSURANCE GENERAL	$162,364	$240,000	$200,000
2	INSURANCE 32B	$1,435,421	$1,539,000	$1,500,000
3	UNEMPLOYMENT COMPENSATION	$10,176	$10,000	$10,000
4	STREET LIGHTING	$98,493	$110,000	$110,000
5	HYDRANT RENTAL	$18,000	$18,000	$18,000
6	TOWN MEETING WARRANT	$14,620	$16,000	$16,000
7	RESERVE FUND	$0	$100,000	$200,000
8	PUBLIC CEREMONIES	$2,659	$2,500	$2,500
9	SURETY BONDS	$904	$800	$800
10	TOWN CLOCKS	$130	$200	$200
11	NON CONTRIBUTORY PENSION	$20,722	$20,346	$20,500
12	PENSION DISABILITY ACCT	$10,000	$10,000	$10,000
13	OCCUPATIONAL HEALTH NURSE	$5,555	$6,000	$6,000
14	MEDICAL CONTRIBUTION	$55,000	$80,000	$80,000
15	RESERVE FOR SAL SETTLEMENT	$0	$15,000	$330,000
16	EMPLOYEE ASSISTANCE PROG.	$2,879	$6,000	$6,000
	TOTAL UNCLASSIFIED	$1,836,923	$2,173,846	$2,510,000
	DEBT AND INTEREST			
	INTEREST			
1	BOND ANTICIPATION NOTES	$22,986	$10,000	$20,000
2	BOND ANTICIPATION NOTES EX	$0	$0	$450,000
3	ANTICIPATION REVENUE	$0	$10,000	$10,000
4	MULTI PURPOSE 1988	$9,680	$4,880	$0
5	ROAD ISSUE 1987 EXEMPT	$39,150	$13,050	$0
6	BOND ISSUE 1989	$2,790	$1,550	$465
7	BOND ISSUE EXEMPT 1989	$39,835	$24,025	$8,060
8	MULTI PURPOSE EXEMPT 1990	$25,550	$19,208	$13,602
9	MULTI PURP EX 91 HIGH SCHL	$283,725	$267,475	$250,900
10	MULTI PURP EX 91 LOKER	$44,730	$37,800	$30,660
11	MULTI PURP EX 91 LANDFILL	$12,675	$9,705	$7,665
12	MULTI PURPOSE EQ 1992	$9,853	$3,340	$0
13	MULTI PURPOSE COMP 1992	$1,357	$460	$0
14	MULTI PURP EXEM SCHL 1993	$157,864	$147,289	$138,683
15	MULTI PURPOSE EQUIPMENT	$7,193	$3,903	$1,225
16	LAND ACQUISITION EXEMPT	$338,210	$145,810	$138,610
17	MULTI PURPOSE 1996	$309,850	$45,690	$35,490
18	MULTI PURPOSE 1997	$0	$80,200	$62,341
19	MULTI PURPOSE EXEMPT 1997	$0	$75,000	$59,100
	MATURING DEBT			
20	REGISTERED BOND COST	$0	$0	$0
21	NEW BOND ISSUE 1988	$80,000	$80,000	$0
22	ROAD ISSUE 1987 EXEMPT	$450,000	$450,000	$0
23	BOND ISSUE 1989 EXEMPT	$255,000	$255,000	$260,000
24	BOND ISSUE 1989	$20,000	$20,000	$15,000
25	MULTI PURPOSE EXEMPT 1990	$120,000	$95,000	$95,000
26	MULTI PURP EX 91 HIGH SCHL	$325,000	$325,000	$325,000
27	MULTI PURP EX 91 LOKER	$140,000	$140,000	$140,000

	BUDGET	EXPENDED FY 1997	APPROPRIATED FY 1998	REQUESTED FY 1999
28	MULTI PURP EX 91 LANDFILL	$60,000	$40,000	$35,000
29	MULTI PURPOSE EQUIP 1992	$167,000	$167,000	$0
30	MULTI PURPOSE COMP 1992	$23,000	$23,000	$0
31	MULTI PURP EXEMPT SCHL 1993	$225,000	$225,000	$225,000
32	MULTI PURP EQUIP 1993	$70,000	$70,000	$70,000
33	LAND ACQUISTION EXEMPT 1996	$0	$180,000	$180,000
34	MULTI PURPOSE 1996	$0	$255,000	$250,000
35	BOND SALE EXPENSE	$15,000	$25,000	$25,000
36	FINANCIAL DISCLOSURE	$500	$2,500	$2,500
37	MULTI PURPOSE 1997	$0	$178,300	$177,300
38	MULTI PURPOSE EXEMPT 1997	$0	$150,000	$150,000
39	NEW BOND ISSUE 1998	$0	$0	$108,500
	TOTAL DEBT & INTEREST	$3,255,948	$3,580,185	$3,285,101
	GRAND TOTAL BUDGET	$28,130,896	$31,223,190	$32,704,632

	CAPITAL REQUESTS	APPROPRIATED FY 1998	REQUESTED FY 1999
	TOWN SURVEYOR		
1	GPS SYSTEM UPGRADE		$35,000
	POLICE DEPARTMENT		
2	TRAFFIC LIGHTS		$30,000
	FIRE DEPARTMENT/JCC		
3	DIGITIZER, COPIER		$35,000
	HIGHWAY DEPARTMENT		
	TWENTY TON DUMP TRUCK		$106,000
	TEN TON DUMP TRUCK/SNOW		$96,000
	ONE TON DUMP/RACK BODY		$38,000
4	TOTAL HIGHWAY		$240,000
	SCHOOLS		
	TECHNOLOGY		$225,000
	FURNITURE/EQUIP		$200,000
	MODULAR CLASSROOMS		$175,000
5	TOTAL SCHOOLS		$600,000
	PARK AND RECREATION		
	TRACTOR/3PT HITCH		$40,000
	SLICE SEEDER		$7,000
	PLUG AERATOR		$2,800
	BROADCAST SEEDER		$4,000
	TOP DRESSER		$15,000
	SPRAY BOOM		$2,650
	TRAILER		$3,500
	INFIELD GROOMER		$16,000
	UTILITY TRUCK		$42,000
6	TOTAL PARK AND REC		$132,950
	GRAND TOTAL	$500,000	$1,072,950
	HIGHWAY STATE FUNDS	$395,548	$396,000

TABLE NO.1

WAYLAND INCOME AND EXPENSE STATEMENT	FISCAL 1994	FISCAL 1995	FISCAL 1996	FISCAL 97	FISCAL 98	FISCAL 99
BUDGET	$24,374,786	$26,461,785	$27,290,151	$28,820,401	$31,223,190	$32,704,362
ARTICLES AND WATER BUDGET	$1,933,315	$5,761,881	$4,280,143	$2,968,125	$3,524,976	$3,671,309
TOTAL TOWN EXPENSE	$26,308,101	$32,223,666	$31,570,294	$31,788,526	$34,748,166	$36,375,671
NET CHERRY SHEET	($498,275)	($934,855)	($1,305,960)	($1,429,898)	($1,656,171)	($1,777,069)
OVERLAY EXPENSE	$200,000	$189,249	$239,772	$432,058	$200,000	$200,000
LOCAL RECEIPTS	($2,339,500)	($2,169,091)	($2,077,411)	($2,350,566)	($2,450,000)	($2,532,000)
SUMMER SALARY ADJUSTMENT						
OTHER SOURCES: FREE CASH, BORROWINGS, ETC.	($2,662,846)	($6,177,445)	($4,459,632)	($3,423,342)	($4,130,976)	($4,452,909)
TO BE RAISED BY TAXATION	$21,007,480	$23,131,524	$23,967,063	$25,016,778	$26,714,095	$27,813,693
ASSESSED VALUATION	$1,203,568,850	$1,212,398,850	$1,293,709,400	$1,475,045,900	$1,488,250,430	$1,511,776,793
TAX RATE	$17.33	$17.88	$18.42	$16.96	$17.95	$18.40

AVERAGE TAX BILL WILL INCREASE BY 2.5% IN FY99.

TABLE NO.2

HISTORICAL BUDGET SUMMARY

FISCAL YEAR	SCHOOL	TOWN	TOTAL	INCREASE	%	FIXED COSTS*	OPERATING BUDGET
FY 1999	$18,463,916	$14,240,716	$32,704,632	$1,481,442	4.70%	-0.90%	5.60%
FY 1998	$17,390,014	$13,833,176	$31,223,190	$2,402,789	8.34%	1.13%	7.21%
FY 1997	$15,691,033	$13,129,368	$28,820,401	$1,530,250	5.61%	1.20%	4.41%
FY 1996	$14,712,621	$12,577,530	$27,290,151	$828,366	3.10%	-0.50%	3.60%
FY 1995	$14,263,883	$12,224,902	$26,461,785	$1,744,499	7.06%	1.39%	5.67%
FY 1994	$12,796,933	$11,577,853	$24,374,786	$761,148	3.22%	0.12%	3.10%
FY 1993	$12,350,106	$11,263,532	$23,613,638	$675,497	2.94%	2.89%	0.05%

*INCLUDES:FUNDED DEBT, INTEREST, HEALTH INS., BUILDING INS. (PROP/LIAB)

TABLE NO. 3

TOWN REVENUES	FY 1994	FY 1995	FY 1996	FY 1997	FY1998	FY1999
AUTO EXCISE	$950,000	$1,000,000	$1,000,000	$1,000,000	$1,222,000	$1,200,000
FEES, FINES, INTEREST	$1,390,000	$1,308,000	$1,308,000	$1,358,000	$1,350,000	$1,350,000
NET REC FROM STATE	$1,785,863	$1,954,393	$2,147,312	$2,348,875	$2,613,703	$2,885,244
TOTAL	$4,125,863	$4,262,393	$4,455,312	$4,706,875	$5,185,703	$5,435,244
RAISED FROM TAXES	$21,007,480	$23,132,418	$23,967,063	$25,016,778	$26,714,095	$27,520,415

TABLE NO. 4

PERCENT OF BUDGET BY DEPARTMENT

DEPARTMENT	%1994	%1995	% 1996	% 1997	%1998	%1999
GENERAL GOVERNMENT	5.6%	5.3%	5.5%	5.5%	5.4%	5.3%
PROTECTION	11.2%	10.6%	10.9%	10.9%	10.7%	10.8%
HEALTH	1.3%	1.2%	1.2%	1.2%	1.3%	1.1%
HIGHWAY	3.6%	3.4%	3.4%	3.3%	3.1%	3.0%
LANDFILL	1.4%	1.4%	1.4%	1.3%	1.1%	1.1%
VETERANS' BENEFITS	0.1%	0.1%	0.1%	0.1%	0.1%	0.1%
SCHOOLS	51.6%	52.9%	53.4%	53.8%	55.4%	55.8%
REG VOC SCHOOL	0.9%	0.8%	0.5%	0.7%	0.3%	0.6%
DIRECTOR YOUTH SERVICES	0.3%	0.3%	0.3%	0.3%	0.3%	0.3%
LIBRARIES	1.7%	1.6%	1.7%	1.7%	1.7%	1.7%
PARK AND RECREATION	1.4%	1.3%	1.3%	1.3%	1.2%	1.3%
FEE SUPPORTED PROGRAMS	1.2%	1.1%	1.1%	1.2%	1.1%	1.1%
UNCLASSIFIED	8.0%	8.2%	8.1%	7.3%	7.0%	7.7%
DEBT AND INTEREST	11.8%	11.8%	11.1%	11.4%	11.5%	10.1%
SEPTAGE FACILITY						

TABLE NO. 5

DEPARTMENTAL INCREASES	BUDGET FY 1999	BUDGET FY 1998	BUDGET INCREASE	% INCREASE
GENERAL GOVERNMENT	$1,728,292	$1,694,655	$33,637	2.0%
PROTECTION	$3,512,911	$3,330,900	$182,011	5.5%
HEALTH	$413,621	$365,711	$47,910	13.1%
HIGHWAY	$988,250	$965,200	$23,050	2.4%
LANDFILL	$343,270	$342,326	$944	0.3%
VETERAN'S BENEFITS	$7,050	$7,050	$0	0.0%
SCHOOLS	$18,242,998	$17,293,639	$949,359	5.5%
REGIONAL VOCATIONAL SCH	$194,291	$96,375	$97,916	101.6%
DIR. YOUTH SERVICES	$108,016	$104,022	$3,994	3.8%
LIBRARIES	$584,013	$541,523	$42,490	7.8%
PARK AND RECREATION	$446,819	$387,758	$59,061	15.2%
FEE SUPPORTED PROGRAMS	$340,000	$340,000	$0	0.0%
UNCLASSIFIED	$2,510,000	$2,173,846	$336,154	15.5%
DEBT AND INTEREST	$3,285,101	$3,580,185	($295,084)	-8.2%
TOTAL	$32,704,632	$31,223,190	$1,481,442	4.7%

ARTICLE 6: WATER DEPARTMENT BUDGET

Proposed by: Board of Water Commissioners *Estimated Cost: $1,040,759*

To determine whether the Town will appropriate a sum of money to be expended by the Board of Water Commissioners for the operation and expenses of the Water Department; to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing, or otherwise.

FINANCE COMMITTEE COMMENTS: This article provides funds according to the proposed budget for the operation of the Water Department for Fiscal Year 1999.

ARGUMENTS IN FAVOR: Wayland enjoys high quality water and should fund the Water Department to allow the continued delivery of this high quality water.

ARGUMENTS OPPOSED: The Finance Committee is not aware of any.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority - see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds - see Chapter 44, Section 7.

	BUDGET	EXPENDED FY 1997	APPROPRIATED FY 1998	REQUESTED FY 1999
	WATER DEPARTMENT			
	SALARIES:			
	COMMISSIONERS	$225	$225	$225
	SUPERINTENDENT	$46,869	$54,891	$52,375
	LABOR	$204,944	$286,021	$274,462
	CLERICAL	$32,987	$42,824	$41,658
1	TOTAL SALARIES	$285,025	$383,961	$368,720
2	OPERATING EXPENSE	$310,324	$352,000	$432,500
3	PURGE WELLS	$0	$7,000	$0
4	EQUIPMENT	$950	$5,000	$0
5	MAIN IMPROVEMENT	$0	$0	$0
6	METER RENEWAL	$0	$0	$0
7	POLICE DETAILS	$6,200	$9,000	$0
8	BORROWING COSTS	$138,650	$224,060	$239,539
	TOTAL WATER DEPARTMENT	$741,149	$981,021	$1,040,759

ARTICLE 7: WATER SYSTEM CAPITAL IMPROVEMENTS

Proposed by: Board of Water Commissioners *Estimated Cost: $385,000.00*

To determine whether the Town will vote to appropriate a sum of money to be expended by the Board of Water Commissioners for water system improvements, and to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated available funds, by transfer of funds already appropriated for another purpose, by grants received from the Commonwealth or Federal Government, by borrowing, or otherwise.

FINANCE COMMITTEE COMMENTS: A portion of these funds, approximately $200,000, is provided for the third and last phase of the meter-replacement program first approved at the 1996 ATM. A second portion, approximately $150,000, will permit the final installation of corrosion control measures approved at the 1997 ATM. The originally approved amount of $655,000 was an estimate that ultimately proved to be inadequate. The Third amount of $35,000 will cover the last of the System Control and Data Acquisition (SCADA) equipment, which will be installed at the 8th well site, thereby completing the system-wide control mechanism.

ARGUMENTS IN FAVOR: Wayland enjoys high quality water and should take every measure to protect its quality, preserve its value, and accurately and equitably charge residents for its usage. Moreover, the corrosion control equipment is required by law.

ARGUMENTS OPPOSED: The Finance Committee is not aware of any.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority - see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds - see Chapter 44, Sections 7 and 8.

ARTICLE 8: COMPENSATION FOR ELECTED OFFICIALS

Proposed by: Board of Selectmen

To determine whether the Town will vote to fix the salary and compensation of all elected officers of the Town pursuant to Massachusetts General Laws Chapter 41, Section 108, to be effective July 1, 1998, which salary and compensation are printed below.

SALARY SCHEDULE - ELECTED TOWN OFFICERS

		FY 1998	FY 1999
Town Clerk		44,308.	46,300.
Selectmen	(5)	100.	100.
Assessors	(Chairman)	1,600.	1,600.
	(2)	1,500.	1,500.
Board of Health	(5)	50.	50.
Water Commissioners	(3)	75.	75.

FINANCE COMMITTEE COMMENTS: The elected officers listed above are entitled to an annual salary.

ARGUMENTS IN FAVOR: The above salaries reflect a fair and in most cases minimal compensation for the duties performed.

ARGUMENTS OPPOSED: The Finance Committee is not aware of any.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority - see Massachusetts General Laws Chapter 41, Section 108.

ARTICLE 9: REVOLVING FUND FOR COUNCIL ON AGING

Proposed by: Council on Aging

To determine whether the Town will vote to authorize the continuance of a revolving fund pursuant to Chapter 44, Section 53E1/2 of the Massachusetts General Laws for the Council on Aging; and to determine: (1) the programs and purposes for which such revolving fund may be expended; (2) the departmental receipts which may be credited to such revolving fund; (3) the board or officer(s) authorized to expend monies from such fund; and (4) the total amount that may be expended from such fund in Fiscal Year 1999.

FINANCE COMMITTEE COMMENTS: In 1994, the Town established a revolving fund for the Council on Aging. This article authorizes continued use through FY99 of the fund that is funded by user fees and permits the Council to provide services at no budgetary costs to the town.

ARGUMENTS IN FAVOR: This article will permit an additional year of financial management of fees, obtained by the Council on Aging, which provide services to a valued segment of the Town's population.

ARGUMENTS OPPOSED: The Finance Committee is not aware of any.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority - see Massachusetts General Laws Chapter 44, Section 53E1/2.

ARTICLE *10*: ACQUIRE RESIDENTIALLY ZONED PORTION OF FORMER CNA/RAYTHEON LAND

Proposed by: Board of Selectmen

To determine whether the Town will vote to authorize the Board of Selectmen, with the approval of Town Counsel as to form, to acquire by purchase, eminent domain, gift or otherwise, for municipal and/or school purposes including, but not limited to, highway, passive and active recreation, conservation, health, housing, human services, youth services, senior citizen services, public safety, wastewater management or any combination of such purposes, the fee or any lesser interest in all or any part of the land, with the improvements thereon, located on Route 27 (Old Sudbury Road), Wayland, Massachusetts, shown as the residentially zoned portion of the former CNA/Raytheon property containing 34.1 acres of land, more or less, on a plan entitled "Compiled Plan of Land in Wayland Massachusetts Prepared for the CNA/Raytheon Committee," Scale 1" = 100', dated March 20, 1998, by the Town of Wayland Surveyor's Office, a copy of which plan is on file in the Office of the Town Clerk; to determine whether the Town will vote to appropriate a sum of money to be expended by the Board of Selectmen for the acquisition of said land or interest therein, including related legal expenses; and to determine whether such appropriation shall be provided by taxation, transfer from unappropriated funds, by transfer from funds already appropriated for another purpose, by grants received from the Commonwealth or Federal Government, by borrowing or otherwise, contingent upon the passage of a ballot question seeking approval of the voters of an exemption of the associated debt service costs from the provisions of proposition two-and-one-half, so-called, at a local election.

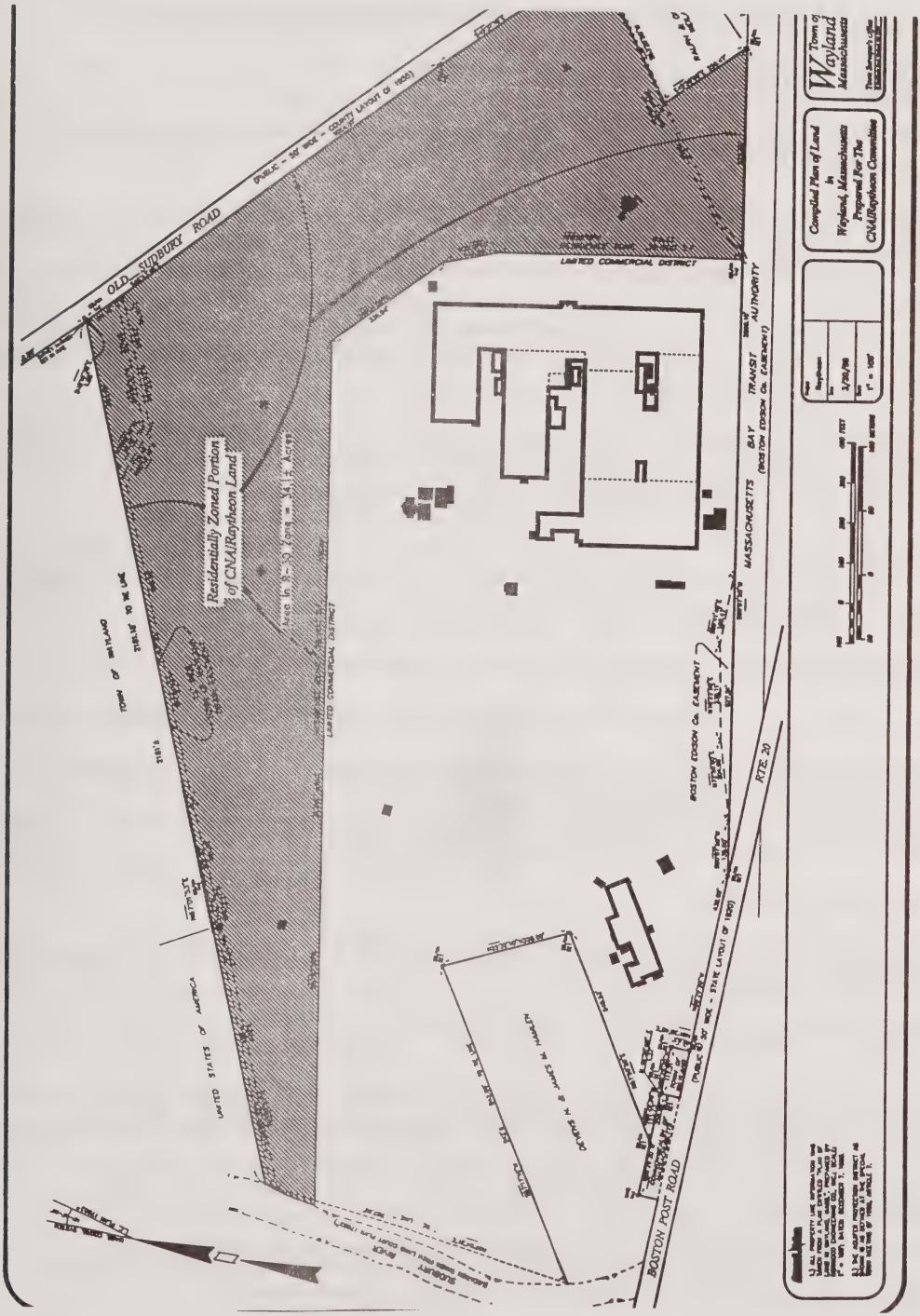
FINANCE COMMITTEE COMMENTS: The generally northeastern portion (approximately 34.1 acres) of the former "Raytheon" property, which fronts on Route 27, is expected to be developed into a number of residential house lots. The developer has this right since the land is already residentially zoned. However, this tract of land is the only similar-sized property near the center of Town that could ever serve as the focus for a "Town Center" or accommodate future services that need to be centrally located. This article would approve the purchase of this land for future use by the Town.

ARGUMENTS IN FAVOR: This portion of the Raytheon property is ideally located for future use by the Town and should be acquired now, while it is available. Its purchase would permit the Town to control its eventual development, both public and private. It could also add to the Town's acreage of conservation land, connect to Sudbury Valley Trustees and US Fish and Wildlife lands, and permit interconnections between the Bay Circuit trail and the proposed rail trail.

ARGUMENTS OPPOSED: The land is not needed. If the Town takes this land by eminent domain, the litigation costs may be substantial and tax revenues would be lost.

RECOMMENDATION: The Finance Committee defers its recommendation until Town Meeting pending resolution of technical and cost issues. Vote: Unanimous.

QUANTUM OF VOTE: Two-thirds - see Massachusetts General Laws Chapter 40, Section 14 and Chapter 44, Section 7.


OLD SUDBURY ROAD
LIMITED COMMERCIAL DISTRICT
Residentially Zoned Portion of CNA/Raytheon Land
BAY TRANSIT AUTHORITY
MASSACHUSETTS
BOSTON EDISON CO. EASEMENT
RTE. 20
BOSTON POST ROAD
Compiled Plan of Land in Wayland, Massachusetts Prepared For The CNA/Raytheon Committee
Town of Wayland Massachusetts

ARTICLE *11*: ACCEPT LAW RE: AUTHORITY TO REGULATE DOGS

Proposed by: Board of Selectmen

To determine whether the Town will vote to accept the provisions of Massachusetts General Laws Chapter 140, Section 147A.

FINANCE COMMITTEE COMMENTS: The dissolution of Middlesex County Government on July 1, 1997 (Chapter 48 of the Acts of 1997) affected 37 communities located within its boundaries, including the Town of Wayland. The services provided by the Middlesex County Dog Commissioner were eliminated without any provision for dog control in these communities. Each municipality had to adhere to the provisions of Massachusetts General Laws Chapter 140, Sections 136A through 174D, for the licensing of dogs until such time that the Town, at its town meeting, voted to accept the provisions of this chapter. A local by-law could then be approved for the regulation of dogs.

In addition to this Article, petitioners have submitted Article 12 which seeks the incorporation of the provisions of Massachusetts General Laws Chapter 140, Sections 136A through 174D. The Article also seeks to amend Chapter 91, Article I of the Code of the Town of Wayland.

ARGUMENTS IN FAVOR: Accepting the provisions of Massachusetts General Laws Chapter 140, Section 147A empowers the Town to enact a by-law relative to the regulation of dogs. The day-to-day operations and the collecting of fees would be controlled by the Town, with the Town retaining all funds collected.

ARGUMENTS OPPOSED: The Finance Committee is not aware of any.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority - see Massachusetts General Laws Chapter 140, Section 147A.
See Appendix A, page 123

ARTICLE *12*: AMEND TOWN BY-LAW - REGULATION OF DOGS

Proposed by: Petitioners

To see if the Town will vote to amend Chapter 91, Article I of the Code of the Town of Wayland by adding the following:

§91-8A. Incorporation of statutory provisions.

A. The provisions of MGL c. 140, s.s. 136A through 174D, inclusive, as may be amended from time to time and except as modified herein, are incorporated into this by-law relating to the regulation of dogs.

§91-8B. Definitions.

A. Unless otherwise set out in this by-law, any term defined in MGL c. 140, s.136A shall have the same meaning in this by-law and shall be expressly incorporated herein.

B. As used in this by-law, the following terms shall have the meanings indicated:

KENNEL - One pack or collection of dogs on a single premises, whether maintained for breeding, boarding, sale, training, hunting or other purposes, and including any shop where dogs are on sale, and also including every pack or collection of four or more dogs, six months old or older, owned or kept by a person on a single premises, irrespective of the purpose for which they are maintained.

LICENSE PERIOD - From January 1 of each year to December 31 of the same year.

OWNER - Any person or persons, firm, association or corporation owning, keeping or harboring a dog within the town of Wayland.

PERSON - An individual, partnership, company or corporation.

LIVESTOCK, FOWL or WILDLIFE - Animals, Fowl or Wildlife kept or propagated by the owner for food or as a means of livelihood and also deer, cottontail rabbits and northern hares, pheasants, quail, partridge and other birds and quadrupeds determined by the Department of Fisheries, Wildlife and Environmental Law Enforcement to be wild and kept by, or under a permit from, said Department in proper houses or suitable enclosed yards. Such phrase shall not include dogs, cats and other pets.

§91-8C. Effective date.

This by-law amendment shall go into effect on July 1, 1998, and, until said date, all current statutes and by-laws shall remain in effect.

§91-8D. Dog Control Officer.

A. The Board of Selectmen shall annually appoint a Dog Control Officer under the provisions of MGL c. 140, s.s. 151 and 151A to carry out the provisions of this by-law and perform such other duties and responsibilities as the Board may determine. The Board shall determine hours and conditions of work for the Dog Control Officer. Compensation for persons appointed under this by-law shall be consistent with other by-laws dealing with salaries of appointed officials.

B. The Dog Control Officer shall seek out and notify all owners of all dogs within the town that have not been licensed within the required time under the provisions of this by-law and shall seek out, catch and confine any dogs within the town that are found on public property or on private property where said dog is trespassing and the owner or person in control of such property wants the dog removed, if said dog is in violation of any section of this by-law.

C. No Dog Control Officer shall be a licensed or unlicensed animal dealer registered or unregistered with the United States Department of Agriculture, and no Dog Officer, either privately or in the course of carrying out official assignments as an agent for this town, or any other agent of the town shall give, sell or turn over any animal alive or dead which may come into custody of any business or institution operating as a research facility or animal dealer, whether it is licensed or unlicensed, registered or unregistered. Whoever violates the provisions of this Subsection shall be punished as provided in MGL c. 140, s. 151.

D. It shall be the duty of the Dog Control Officer to keep, or cause to be kept, accurate and detailed records of the impoundment and disposition of all dogs held in custody and of all bite cases reported and the investigation of the same and a monthly telephone log of all calls regarding dogs and to submit monthly reports to the Board of Selectmen.

§91-8E Hearing Officer.

The Board of Selectmen shall appoint a hearing officer who shall act on all matters pertaining to the enforcement of this by-law and the settling of any disputes between the dog owner, the town and its residents. The hearing officer must be a resident who is not an employee of the Town of Wayland.

§91-8F Dog Fund.

A. A Dog Fund is hereby created by the town under the provisions of MGL c. 44, s. 53El/2. Said fund shall be used as a depository for all monies collected as fees, fines, charges and penalties and other like monies imposed under this by-law. It shall be used to make purchases necessary to administer this by-law and to pay any expenses relating to this by-law or for any other costs that Massachusetts General Laws require to be paid. Said fund shall be administered by the Treasurer/Collector and may also receive funds through usual municipal financing methods. Receipts allocated to this fund shall be deposited in a special account by the Town Treasurer.

B. Expenditures may be charged against the fund without prior appropriation, subject to approval by the Town Clerk, and shall be limited to purposes directly connected to the enforcement of the provisions of the Dog by-law. Said expenditure, or incurred liabilities, shall not exceed the available balance of the fund at any given time.

§91-8G. Vaccination required.

A. Whoever is the owner of a dog six months of age or older shall cause such dog to be vaccinated against rabies by a licensed veterinarian using a vaccine approved by the Department of Public Health. Such owner shall produce a veterinarian's certificate that such dog has been so vaccinated setting forth the date of such vaccination and the duration immunity; a metal rabies tag bearing an expiration date indicating that such certification is still in effect; or a notarized letter from a veterinarian that a certification was issued.

B. Unvaccinated dogs acquired or brought into the town shall be vaccinated within thirty days after acquisition or entry into the town or upon reaching the age of six months, whichever comes later.

C. Unvaccinated dogs shall be revaccinated in accordance with rules and regulations adopted and promulgated by the Department of Public Health.

§91-8H License and tag required; fee

A. Any owner of a dog which is six months of age or older and is located in the Town of Wayland shall obtain a license for that dog commencing on January 1 of each year, as required by MGL C. 140.

B. The fee for every Dog license shall be $10.00.

C. The registering, numbering, describing and licensing of a dog shall be done by the Town Clerk on a form prescribed and supplied by the Town Clerk and shall be subject to the condition expressed therein that the dog which is the subject of the license shall be controlled and restrained from killing, chasing or harassing livestock, fowl or wildlife.

D. The owner of a licensed dog shall cause it to wear around its neck or body a collar or harness of leather or other suitable material, to which shall be securely attached a tag on a form prescribed by and issued by the Town Clerk when a license is issued.

(1) Such tag shall state the following information:

(a) Town of Wayland;

(b) Year of issue;

(c) Tag number.

(2) The Town Clerk shall maintain a record of the identifying numbers.

E. If any such tag shall be lost, the owner of such dog shall forthwith secure a substitute tag from the Town Clerk. The fee for a duplicate tag shall be $1.00.

F. The Town Clerk shall not grant such license for any dog unless the owner thereof provides the Town Clerk with either a veterinarian's certification that such dog has been vaccinated in accordance with the provisions of MGL c. 140, s. 145B or has been certified exempt from such provisions as outlined in MGL c. 140, s. 137 or 137A.

§91-8I Kennel license; fees; inspections.

A. Any person maintaining a kennel shall have a kennel license. The fee for kennel licenses shall be:

(1) Four dogs: $25.00

(2) Five to 10 dogs: $50.00

(3) Eleven dogs or more: $100.00

B. Any person who meets all requirements of the Town of Wayland Zoning By-law and MGL c. 140, s. 137A may apply for a kennel license from the Town Clerk on a form prescribed and supplied by the Town Clerk and for a fee as set out in this by-law. The Town Clerk shall, upon application, issue without charge a kennel license to any domestic charitable corporation incorporated exclusively for the purpose of protecting animals from cruelty, neglect or abuse and for the relief of suffering among animals.

C. The provisions of MGL c. 140, s.s. 138 and 138A shall be expressly incorporated herewith and shall henceforth apply under this by-law.

D. The Dog Control Officer may at any time inspect or cause to be inspected any kennel, and if, in his or her judgment, the same is not being maintained in a sanitary and humane manner or if records are not properly kept as required by law, the Dog Control Officer shall file with the Board of Selectmen a petition setting forth the facts, and, upon this petition or upon a petition of twenty-five citizens setting forth that they are aggrieved or annoyed to an unreasonable extent by one or more dogs at a kennel maintained in town because of excessive barking or vicious disposition of said dogs or other conditions connected with such kennel constituting a public nuisance, the Board shall, within seven days after the filing of such petition, give notice to all parties in interest of a public hearing to be held within fourteen days after the date of such notice.

(1) within seven days after such public hearing said Board shall make an order either revoking or suspending such kennel license or otherwise regulating said kennel or dismissing said petition. Within ten days after such order the holder of such license may bring a petition in the District Court as outlined in MGL c. 140, s. 137C.

(2) Any person maintaining a kennel after the license therefor has been so revoked or while such license is so suspended shall be punished as set forth in s.91-6, Violations and penalties, of this by-law. The Board may, in the case of any suspension, reinstate such license.

FINANCE COMMITTEE COMMENTS: This proposed by-law would amend the existing Dog By-law by adding those elements which were previously under the jurisdiction of Middlesex County relating to licensing and dog control. This amendment would provide the necessary Town statutes to implement a dog fund, a Dog Control Officer and a system for issuing licenses and collecting fees.

This Article makes no attempt to further clarify or modify the existing by-laws regarding the regulation of dogs. It is the intention of the petitioners that if Article 13: Dog By-law Study Committee is passed at the Annual Town Meeting, any additional changes to the by-law would originate through that committee.

ARGUMENTS IN FAVOR: This proposed by-law enables the Town to take control of the registration and control of dogs, elements which were previously under the jurisdiction of Middlesex County. The proposal imposes no additional restrictions nor increased fees on dog owners.

ARGUMENTS OPPOSED: The Town has sought to further clarify and expand the dog control regulations. There is a need for more restrictions on dog owners, especially regarding unleashed dogs in public areas. This petitioners article does not address those concerns.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority - see Massachusetts General Laws Chapter 40, Section 21.

ARTICLE *13*: DOG BY-LAW STUDY COMMITTEE

Proposed by: Petitioners

To determine whether the Town will vote to establish a dog by-law study committee and direct said committee to do the following:

(1) Review the current dog bylaw and identify issues warranting change in the existing dog by-law.

(2) Hold one or more public hearings in which Wayland residents may express their concerns and opinions about dog laws.

(3) Research dog by-laws in other towns.

(4) Prepare a draft report that states either (a) that no changes are needed and why or (b) that the current by-law needs to be amended and why or (c) that a new by-law should be written and why.

(5) Review the draft report with the Board of Selectman as well as any other town board that may so request and reference their comments in the report

(6) If the Committee decides that a change in the dog by-law is needed, said Committee shall draft a dog by-law Article and submit it for the Spring 1999 Town Meeting.

Said Committee shall be composed of five members appointed by the Board of Selectmen. Said appointees shall not have served on any town board in fiscal 1998. Said Committee shall be made up of three dog owners and two non-dog owners.

FINANCE COMMITTEE COMMENTS: During the 1994 Annual Town Meeting, there was an Article submitted by the Town to amend the Wayland Dog By-law. Due to opposition from many residents, the Article was withdrawn.

The petitioners propose that any changes to the existing by-laws should be more fully supported by the Town's residents. This article seeks to establish a study committee that would research and recommend changes, if any, to the existing by-laws. This committee would hold public hearings in an attempt to understand all sides of the issues and to obtain consensus wherever possible.

ARGUMENTS IN FAVOR: A committee which conducts research on the issues, seeks to understand the residents concerns via public hearings and then makes proposals to reflect those concerns, is the most effective and fair way to make sweeping changes to the existing by-laws.

ARGUMENTS OPPOSED: The Finance Committee is not aware of any.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority.

ARTICLE *14*: ADOPT BY-LAW REGULATING USE OF TOWN WATER

Proposed by: Board of Water Commissioners

To determine whether the Town will vote to amend the Code of the Town of Wayland by adding thereto the following new chapter entitled, "Restrictions on Use of Town Water":

Section 1 Authority

This by-law is adopted by the Town of Wayland under its police powers to protect public health and welfare and its powers under Massachusetts General Laws, Chapter 40, §21 *et seq.* and under the Town of Wayland's authority to regulate water use through its Water Commissioners pursuant to Chapter 80 of the Acts of 1878. This by-law also implements the Town of Wayland's authority under Massachusetts General Laws Chapter 40, Section 41A, conditioned upon a declaration of water supply emergency issued by the Department of Environmental Protection (DEP).

Section 2 Purpose

The purpose of this by-law is to protect, preserve, and maintain the public health, safety, and welfare whenever there is in force a state of water supply conservation or state of water supply emergency by providing for enforcement of any duly imposed restrictions, requirements, provisions, or conditions imposed by the Town of Wayland or by the DEP.

Section 3 Definitions

Person shall mean any individual, corporation trust, partnership, or association, or other entity.

State of Water Supply Emergency shall mean a state of water supply emergency declared by the DEP under Massachusetts General Laws, Chapter 21G, Sections 15 through 17.

State of Water Supply Conservation shall mean a state of water supply conservation declared by the Town pursuant to Section 4 of this by-law.

Water Users or Water Consumers shall mean all public and private users of the Town public water system, irrespective of any person's responsibility for billing purposes for water used at any particular facility.

Section 4 Declaration of a State of Water Supply Conservation

The Town, through its Board of Water Commissioners, may declare a state of water supply conservation upon a determination by a majority vote of the Board that a shortage of water exists and conservation measures are appropriate to ensure an adequate supply of water to all water consumers. Public notice of a State of Water Conservation shall be given under Section 6 of this by-law before it may be enforced.

Section 5 Restricted Water Uses

A declaration of a state of water supply conservation shall include one or more of the following restrictions, conditions, or requirements limiting the use of water as necessary to protect the water supply.

The applicable restrictions, conditions or requirements shall be included in the public notice required under Section 6.

a) Odd/Even Day Outdoor Watering: Outdoor Watering by water users with odd numbered addresses is restricted to odd numbered days. Outdoor watering by water users with even numbered addresses is restricted to even numbered days.

b) Outdoor Water Ban: Outdoor watering is prohibited.

c) Outdoor Watering Hours: Outdoor watering is permitted only during daily periods of low demand, to be specified in the declaration of a State of Water Supply Conservation and public notice thereof.

d) Filling Swimming Pools: Filling of swimming pools is prohibited.

e) Automatic Sprinkler Use: The use of automatic sprinkler systems is prohibited.

Section 6 Public Notification of State of Water Supply Conservation; Notification to DEP

Notification of any provision, restriction, requirement, or condition imposed by the Town as part of a state of water supply conservation shall be published in a newspaper of general circulation within the Town, or by such other means reasonably calculated to reach and inform all users of water of the state of water supply conservation. Any restriction imposed under Section 5 shall not be effective until such notification is provided. Notification of the state of water supply conservation shall also be simultaneously provided to the DEP.

Section 7 Termination of a State of Water Supply Conservation

A state of water supply conservation may be terminated by a majority vote of the Board of Water Commissioners, upon a determination that the water supply shortage no longer exists. Public notification of the termination of a state of water supply conservation shall be given in the same manner required by section 6.

Section 8 State of Water Supply Emergency; Compliance with DEP Orders

Upon notification to the public that a declaration of a state of water supply emergency has been issued by the DEP, no person shall violate any provision, restriction, requirement, or condition of any order approved or issued by the DEP intended to bring about an end to the state of emergency.

Section 9 Penalties

Any person violating this by-law shall be subject to a fine in the amount of $100.00 for the first violation and $100.00 for each subsequent violation. Fines shall be recovered by indictment, or on complaint before the District Court, or by non-criminal disposition in accordance with Massachusetts General Laws Chapter 40, Section 21D. The enforcing person shall be the Water Superintendent or his/her designee. Each day of violation shall constitute a separate offense.

Section 10 Severability

The invalidity of any portion or provision of this by-law shall not invalidate any other portion or provision thereof.

FINANCE COMMITTEE COMMENTS: In the past few years there have been several dry spells where neighboring towns have imposed water bans. Additionally, in the past few years much of the new construction has not been "water conservation friendly" due to underground irrigation systems and automatic timers. While Wayland has imposed voluntary water bans, it has had no way to enforce a mandatory water ban should one be necessary. Several types of bans are possible with this by-law including odd/even outdoor watering, limited hours for watering, and no use of automatic sprinklers

ARGUMENTS IN FAVOR: The purpose of the by-law would be to protect, maintain, and preserve the public health, safety, and welfare when there is a need to conserve water or restrict its use. In the event that the Board of Water Commissioners needed to impose a water use ban or restriction (with State approval), it would not have a way to enforce it. This by-law would give them the power to utilize several types of water bans and enforce its requirements.

ARGUMENTS OPPOSED: It is not clear who would actually enforce the ban and whether there would be any cost associated with its enforcement. In the past, neighbors have notified the Water Department when they have observed other neighbors ignoring a water ban. With the possibility of enforcement and penalties, they may be reluctant to notify the Water Department.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority - see Massachusetts General Laws Chapter 40, Section 21.

ARTICLE *15*: ACCEPT AND ACQUIRE STREETS

Proposed by: Board of Road Commissioners *Estimated Cost: $100.00*

To determine whether the Town will vote to accept as Town ways the following streets or portions thereof as laid out by the Board of Road Commissioners:

Blossom Lane Extension;

Caulfield Road Extension;

Pesce Drive; and

to authorize the Board of Road Commissioners or the Board of Selectmen, as the case may be, with the approval of Town Counsel as to form, to acquire by purchase, gift, eminent domain or otherwise for highway purposes, the fee or any lesser interests, including easements for drainage, slope or otherwise, in, on, over, under, and through the streets described above, to appropriate a sum of money to compensate the landowners owning and/or abutting said streets, and to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for

another purpose, by funds received as grants from the Commonwealth or the Federal Government, by borrowing, or otherwise.

FINANCE COMMITTEE COMMENTS: These roads are currently maintained by the Highway Department.

ARGUMENTS IN FAVOR: Accepting these roads makes official the practice already in effect.

ARGUMENTS OPPOSED: The Finance Committee is not aware of any.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority for street acceptances - see Massachusetts General Laws Chapter 82, Section 23; two-thirds for appropriation and exercise of eminent domain or purchase powers - see Massachusetts General Laws Chapter 40, Section 14; also, two-thirds for borrowing - see Massachusetts General Laws Chapter 44, Section 7.

ARTICLE *16*: AMEND ZONING BY-LAW RE: AQUIFER PROTECTION DISTRICT

Proposed by: Wastewater Management District Commission

To determine whether the Town will vote to amend the Code of the Town of Wayland by adding to Chapter 198 (Zoning), Section 198-1504.3.1.1.18 the following sentence:

"Wastewater collection and treatment facilities constructed and/or held by the Wayland Wastewater Management District Commission shall be exempt from this prohibition."

FINANCE COMMITTEE COMMENTS: The Town of Wayland's Zoning By-law prohibits within the Aquifer Protection District "1504.3.1.1.18 Any wastewater treatment plant serving a residential development of density greater than three dwelling units per upland acre." The Aquifer Protection Districts encompass approximately 50 percent of the Town's area. Therefore, the current by-law limits the placement of WMDC treatment facilities to the approximately one-half of the Town's area that is outside of an Aquifer Protection District.

ARGUMENTS IN FAVOR: Potential users of wastewater treatment facilities have been identified within Aquifer Protection Districts. Without a change to the existing by-law, these users would not have the option of connecting to a wastewater treatment facility.

ARGUMENTS OPPOSED: The Town's current Aquifer Protection By-law requires a special permit for certain uses that might negatively impact the aquifer. The special permit process allows for input from various interested Town boards, such as Conservation, Planning, Water, Board of Health, and the Zoning Board of Appeals. If this Article passes, WMDC activities in an Aquifer Protection District would be exempt from oversight by special permit as mandated for similar uses.

RECOMMENDATION: The Finance Committee recommends against approval. Vote: Unanimous. The Finance Committee would support this Article if section 1504.3.1.1.18 is deleted and the following words, "Wastewater collection and treatment facilities constructed and owned by the Town" are added as a

subsection to section 1504.3.2 Section 1504.3.2 lists uses that are only permitted within the Aquifer Protection District by special permit.

QUANTUM OF VOTE: Two-thirds - see Massachusetts General Laws Chapter 40A, Section 5.

ARTICLE *17*: CONSTRUCTION OF WASTEWATER MANAGEMENT SYSTEM

Proposed by: Wastewater Management District Commission *Estimated Cost: $400,000.00*

To determine whether the Town will appropriate a sum of money to be expended by the Wayland Wastewater Management District Commission for the construction of wastewater management systems as defined in Section 3 of Chapter 461 of The Acts of 1996 pursuant to agreements between the Wayland Wastewater Management District Commission and property owners, including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the Massachusetts General Laws; and to determine whether said appropriation shall be provided by taxation, by transfer from unappropriated funds in the General Fund, transfer of funds already appropriated for another purpose, by borrowing from the Massachusetts Water Pollution Abatement Trust, by borrowing under Massachusetts General Laws, Chapter 44, by grants received from the Federal Government or the Commonwealth or otherwise.

FINANCE COMMITTEE COMMENTS: The WMDC was authorized by the legislature in January, 1997. The Commission seeks authority to raise $400,000 through bonding by the Town and/or state. These monies will be expended only to: 1) fund specific projects agreed to by users who will be responsible for repayment, or 2) to conduct planning required by the state in order to receive state funding for construction. 1996 Annual Town Meeting (ATM) provided $100,000 to the WMDC. 1997 ATM provided $250,000 to the WMDC. Only a portion of the 1996 appropriation has been spent to date.

ARGUMENTS IN FAVOR: If not provided, the Commission will have to wait until a later Annual Town Meeting or Special Town Meeting to be able to proceed. The state, in particular, requires Town Meeting approval for any borrowing of state monies. In order to meet potential users' needs, the Commission needs to be able to proceed this year. Approval would avoid the cost of a Special Town Meeting.

ARGUMENTS OPPOSED: Monies, beyond the $350,000 previously approved, should not be appropriated without specific plans and committed users. However, the Finance Committee would support a Special Town Meeting if documented plans to benefit committed users require more funds.

RECOMMENDATION: The Finance Committee recommends against approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority - see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds - see Chapter 44, Sections 7 and 8.

ARTICLE *18*: WASTEWATER MANAGEMENT DISTRICT COMMISSION BUDGET

Proposed by: Wastewater Management District Commission *Estimated Cost: $113,630.00*

To determine whether the Town will vote to appropriate a sum of money to be expended by the Wayland Wastewater Management District Commission for its annual operating expenses; and to determine whether

such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing or otherwise.

BUDGET FY 1999

	Expended FY 1997	Appropriated FY 1998	Requested FY 1999
Salaries	$ 0	$ 0	$ 0
Operating Expenses	0	0	3,200
Maintenance/Repair	0	0	0
Contract/Professional Services	0	0	87,000
Debt Service	0	24,430	23,430
Total Budget Request	$ 0	$ 24,430	$ 113,630
Revenues			
General Fund Contribution	$ 0	$ 24,430	$ 102,421
Retained Earnings	0	0	0
Appropriation	0	0	11,209
Total Revenue	$ 0	$ 24,430	$ 113,630

FINANCE COMMITTEE COMMENTS: The WMDC has presented a budget that details anticipated annual operating expenses and reflects anticipated repayment of debt and operating expenses by users.

ARGUMENTS IN FAVOR: There exists the possibility that the Commission will purchase, operate and maintain an existing private wastewater treatment facility to the benefit of potential users. If this occurs, the Commission will need operating funds. If not provided, the Commission will have to wait until a later Town meeting to cover estimated operating expenses.

ARGUMENTS OPPOSED: At the time this Article was reviewed for comment, a contract did not exist between the Commission and the owner of the private wastewater facility. Similarly, although there are interested, potential users and a preliminary plan estimating users' costs, there is no concrete determination as to whether a critical mass of users exists. The project is untenable without a guaranteed minimum number of users. If Town Meeting approves this article before users commit, the budget would be funded out of the Town's General Fund and consequently impact the tax rate. The Finance Committee would review its recommendations at Annual Town Meeting (or suggest a Special Town Meeting at a later date) if further developments determine that the project is viable.

RECOMMENDATION: The Finance Committee recommends against approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority - see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds - see Chapter 44, Sections 7 and 8.

ARTICLE *19*: ACCEPT LAW RE: DENIAL, REVOCATION, OR SUSPENSION OF LICENSES OR PERMITS FOR FAILURE TO PAY TAXES OR CHARGES

Proposed by: Board of Selectmen

To determine whether the Town will vote to accept the provisions of Massachusetts General Laws Chapter 40, Section 57.

FINANCE COMMITTEE COMMENTS: In order for the Town to amend its general by-laws re: Denial, Revocation or Suspension of License or Permits for Failure to Pay Taxes or Charges, it must first vote to accept the provisions of Massachusetts General Laws Chapter 40, Section 57.

ARGUMENTS IN FAVOR: Approval of this Article is necessary in order to amend the Town's general by-laws. (Discussion on the specific by-law changes can be found in the comment and argument section in Article 20.)

ARGUMENTS OPPOSED: The Finance Committee is not aware of any.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority - see Massachusetts General Laws Chapter 40, Section 57.
See Appendix B, page 124.

ARTICLE *20*: ADOPT BY-LAW RE: DENIAL, REVOCATION OR SUSPENSION OF LICENSES OR PERMITS FOR FAILURE TO PAY TAXES OR CHARGES

Proposed by: Board of Selectmen

To determine whether the Town will vote to amend the Code of the Town of Wayland by adding thereto the following new section:

§72-4. Denial, Revocation or Suspension of Licenses and Permits for Failure to Pay Taxes or other Municipal Charges.

(a) The Town Collector shall annually furnish to each department, board, commission or official, hereinafter referred to as the licensing authority, that issues licenses or permits including renewals and transfers, a list of any person, corporation, or business enterprise, hereinafter referred to as the party, that has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges for not less than a twelve month period, and that such party has not filed in good faith a pending application for an abatement of such tax or a pending petition before the Appellate Tax Board.

(b) The licensing authority may deny, revoke or suspend any license or permit, including renewals and transfers of any party whose name appears on said list furnished to the licensing authority from the Town Collector or with respect to any activity, event or other matter which is the subject of such license or permit and which activity, event or matter is carried out or exercised or is to be carried out or exercised on or about real estate owned by any party whose name appears on said list furnished to the licensing authority from the Town Collector; provided, however, that written notice is given to the party and the Town Collector, as required by applicable provisions of law, and the party is given a

hearing, to be held not earlier than fourteen days after said notice. Said list shall be prima facie evidence for denial, revocation or suspension of said license or permit to any party. The Town Collector shall have the right to intervene in any hearing conducted with respect to such license denial, revocation or suspension. Any findings made by the licensing authority with respect to such license denial, revocation or suspension shall be made only for the purposes of such proceeding and shall not be relevant to or introduced in any other proceeding at law, except for any appeal from such license denial, revocation or suspension. Any license or permit denied, suspended or revoked under this section shall not be reissued or renewed until the licensing authority receives a certificate issued by the Town Collector that the party is in good standing with respect to any and all local taxes, fees, assessments, betterments or other municipal charges, payable to the Town as of the date of issuance of said certificate.

(c) Any party shall be given an opportunity to enter into a payment agreement, thereby allowing the licensing authority to issue a certificate indicting said limitations to the license or permit and the validity of said license shall be conditioned upon the satisfactory compliance with said agreement. Failure to comply with said agreement shall be grounds for the suspension or revocation of said license or permit; provided, however, that the holder be given notice and a hearing as required by applicable provisions of law.

(d) The Board of Selectmen may waive such denial, suspension or revocation if it finds there is no direct or indirect business interest by the property owner, its officers or stockholders, if any, or members of his immediate family, as defined in Section one of Massachusetts General Laws Chapter two hundred and sixty-eight A in the business or activity conducted in or on said property.

(e) This section shall not apply to the following licenses and permits: open burning, Section 13 of Chapter 48; bicycle permits, Massachusetts General Laws Section 11A of Chapter 85; sales of articles for charitable purposes, Massachusetts General Laws Section 33 of Chapter 101; children work permits, Massachusetts General Laws Section 69 of Chapter 149; clubs, associations dispensing food or beverage licenses, Massachusetts General Laws Section 21E of Chapter 140; dog licenses, Massachusetts General Laws Section 137 of Chapter 140; fishing, hunting, trapping license, Massachusetts General Laws Section 12 of Chapter 131; marriage licenses, Massachusetts General Laws Section 28 of Chapter 207; and theatrical events, public exhibition permits, Massachusetts General Laws Section 181 of Chapter 140.

FINANCE COMMITTEE COMMENTS: This Article addresses the granting of local licenses and permits to delinquent taxpayers. Currently, if a business enterprise is a delinquent taxpayer, that enterprise is still able to obtain or renew its license or permit. Under this proposal, the Town collector would maintain a list of any person, corporation or business enterprise, hereinafter referred to as the "Party," that has neglected or refused to pay any local taxes, fees etc. for over twelve months. This list would be provided to the licensing authority, who could deny, revoke or suspend any license or permit, including renewals and transfers, of any Party whose name appears on the list. Upon confirmation of payment of the outstanding receivable, the Party would be considered in good standing and would be eligible to receive the license or permit.

ARGUMENTS IN FAVOR: This proposal would give the Town a powerful tool in collecting certain outstanding receivables.

ARGUMENTS OPPOSED: Since there is currently limited recourse in dealing with delinquent residential receivables, it could be interpreted that this Article unfairly targets businesses.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority - see Massachusetts General Laws Chapter 40, Section 21.

ARTICLE *21*: ACCEPT REPORT AND RECOMMENDATIONS OF ASSESSMENT & VALUATION STUDY COMMITTEE

Proposed by: Board of Selectmen *Estimated Cost: $3,500.00*

To determine whether the Town will vote to hear and accept the report and recommendations of the Assessment and Valuation Study Committee; appropriate a sum of money to be expended by the Assessment and Valuation Study Committee for printing and mailing expenses; and to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, transfer of funds already appropriated for another purpose, by borrowing or otherwise.

FINANCE COMMITTEE COMMENTS: The Assessment and Valuation Study Committee (AVSC) has submitted a report to be heard under Article 1. Article 21 asks the Town to vote on a two-part set of actions.

The first part would do several things: 1a) extend the AVSC charter until the conclusion of the 1999 Annual Town Meeting, 1b) direct the AVSC to continue their activities, 1c) appropriate $3,500 for a communication printing and mailing, and 1d) install the current assessment software on a computer in the Town library.

The second part asks for a sense of the meeting concerning the following non-binding recommendations to the Board of Assessors: 2a) augment efforts to verify and correct basic property data, 2b) encourage property owners to be available for interior inspections as part of the Assessors' current schedule, 2c) emphasize the importance of courteous communication, 2d) provide a current description and drawings or photographs of all structural styles used for property classification, and 2e) emphasize resolution of potential inaccuracies and problems in the assessment values.

ARGUMENTS IN FAVOR: The 1996-1997 revaluation conducted by the Assessors generated considerable controversy over the method and communication of the assessment process. Passage of this article would set in motion a communication effort to clarify to the Town the details of how the process works. Approval would also endorse a set of recommendations as to how the Assessors might modify the process to improve accuracy and communication.

ARGUMENTS OPPOSED: Other than a small added cost, the Finance Committee is not aware of any.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority - to hear report and accept recommendations; see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds - see Chapter 44, Section 7.

ARTICLE 22: FUND DESIGN AND CONSTRUCTION OF PUBLIC SAFETY BUILDING

Proposed by: Board of Selectmen *Estimated Cost: $5,750,000*

To determine whether the Town will vote to appropriate a sum of money to be expended by the Board of Selectmen for the demolition of the existing public safety building, and design and construction, of a new public safety building, including furnishings, fixtures and equipment; and related temporary relocation costs; and to determine whether such appropriation shall be provided by taxation, transfer from unappropriated funds, by transfer from funds already appropriated for another purpose, by grants received from the Commonwealth or Federal Government, by borrowing or otherwise, contingent upon the passage of a ballot question seeking approval by the voters of an exemption of the associated debt service costs from the provisions of proposition two-and-one-half, so-called, at the 1998 Annual Town Election.

FINANCE COMMITTEE COMMENTS: This article seeks funding for the design and construction of a new Public Safety Building. The current Public Safety Building was built in 1956. It was originally built as the Town Hall. The Public Safety Building houses the police, fire, and joint communications departments. The current building is inadequate from the perspectives of workplace safety, layout, and size. Presently, the Public Safety Building is in desperate need of many repairs. We have been informed that the building might violate numerous public health, building, and accessibility requirements. For example, the lockup violates the Department of Public Health requirements; there is asbestos in the building; the wiring violates electric codes; the building is in violation of wetland acts; and the roof leaks badly. The cost to renovate is expected to approach that of new construction.

The proposed Public Safety Building will be rebuilt on its current site; it will be two stories high, and it will have 27,000 gross square feet. The current site is in the Wayland Center Historic District and the building is being designed to fit into the District. The Public Safety Committee has reviewed all other Town-owned sites. The Public Safety Building Committee recommends the current site as the most appropriate site.

The estimated costs, including contingency fees and relocation costs, are as follows:

Construction costs:	$4,401,000
Relocation costs:	138,000
Administrative, Testing, Architectural, Engineering, and Furniture and Equipment costs:	910,000
Contingency :	301,000
Total estimated costs:	$5,750,000

Approval of a new Public Safety Building will not increase the indebtedness of the Town since previously approved Town projects are coming off the Town debt schedule.

The proposed Public Safety Building factors in 20 - 30 year growth projections.

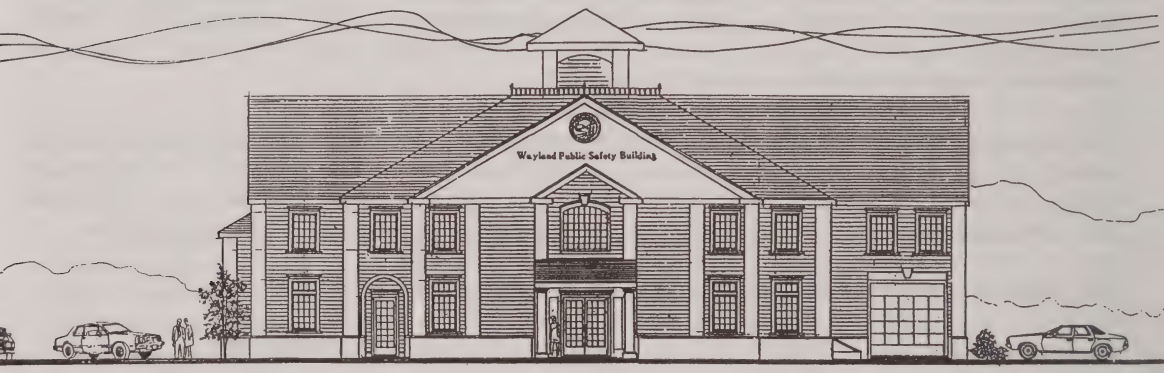
ARGUMENTS IN FAVOR: The proposed Public Safety Building would replace an outdated building that is no longer adequate in terms of workplace safety, layout and size. The design of the proposed Public Safety Building also provides substantial improvements to the wetlands issues, a greater sense of town center, it better conforms to the Rivers Bill and is more in keeping with historic concerns than the existing building.

It would accommodate the growth in the public safety force for the foreseeable future. Maintenance costs over the next five to ten years should be minimal.

ARGUMENTS OPPOSED: The project is costly. The proposed Public Safety Building's site is in an Historic District. The issue for the Historic District Commission is whether the proposed structure will have the appropriate aesthetic qualities for the Historic District. At the time of this report, the Historic District Commission had not yet voted on the proposed Public Safety Building.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority - see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds - see Chapter 44, Section 7.



COCHITUATE ROAD ELEVATION

Wayland Public Safety Headquarters Facility

ARTICLE *23*: PUBLIC SAFETY MANAGEMENT STUDY

Proposed by: Board of Selectmen *Estimated Cost: $20,000.00*

To determine whether the Town will vote to appropriate a sum of money to be expended by the Board of Selectmen to complete a study of all public safety functions and procedures including but not limited to the Police, Fire, and Joint Communications Departments; and to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, transfer of funds already appropriated for another purpose, by borrowing or otherwise.

FINANCE COMMITTEE COMMENTS: This article seeks to authorize funding for a public safety management study. This study would provide an independent analysis of the Police, Fire, and Joint Communications departments. It would review staffing levels, training programs, use of technology, public education, community policing, management structure, department efficiencies, effectiveness and public perception.

ARGUMENTS IN FAVOR: It makes good public policy to regularly review how well the administrative functions of various departments are operating. Some examples of past reviews include the annual audit and the recent Pay and Classification Study. This review is timely given the proposal to reconstruct the public safety building.

ARGUMENTS OPPOSED: The study will cost the Town money and may not result in implementation of any improvements. Traditionally, companies hired to conduct these studies are from the same professional groups as those under study. This lack of independence may result in a final conclusion which advocates more staffing. Present management of these services is of high caliber and has already implemented an efficient and effective organization.

RECOMMENDATION: The Finance Committee recommends against approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority - see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds - see Chapter 44, Section 7.

ARTICLE *24*: ACCEPTANCE OF THE CODE OF THE TOWN OF WAYLAND

Proposed by: Board of Selectmen

To determine whether the Town will vote to accept and approve the codification of by-laws of the Town of Wayland, to be known as the "Code of the Town of Wayland," in the format presented by General Code Publishers Corp., which is on file in the office of the Town Clerk, said codification being a renumbering, recaptioning and repositioning of the present bylaws with no substantive changes.

FINANCE COMMITTEE COMMENTS: This article provides for formal acceptance by the Town of the By-laws as they appear in the "Code of the Town of Wayland." The recodification process was approved at the 1996 ATM, resulted in a logical arrangement of our laws and regulations into a loose-leaf Code Book, and established a permanent and practical system of publishing and maintaining the laws of the Town. It presently contains the "General By-laws," "Zoning By-law," "Personnel By-law," "Planning Board Regulations," "Water Department Regulations," and "Accepted Statutes and Special Acts." (Anticipated future additions include the "Subdivision Rules and Regulations," and "Board of Health Regulations.") No substantive changes were made during the recodification process.

ARGUMENTS IN FAVOR: This newly rearranged collection of by-laws has been in use for a year. It has been well received, it has been found to be clear, and it should be officially adopted.

ARGUMENTS OPPOSED: The Finance Committee is not aware of any.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority - see Massachusetts General Laws Chapter 40, Section 21.

ARTICLE *25*: PLAN AND DESIGN LODGE ROAD

Proposed by: Board of Road Commissioners *Estimated Cost: Unknown*

To determine whether the Town will appropriate a sum of money to be expended by the Board of Road Commissioners for the planning and design of Lodge Road; and to determine whether such appropriation shall be provided by taxation, by appropriation from available funds, by transfer of funds already appropriated for another purpose, by funds received as grants from the Commonwealth or Federal Government, by borrowing or otherwise.

FINANCE COMMITTEE COMMENTS: Residents of unimproved roads within the Town may petition the Town to improve their road under the Betterment Act. Under this Act, the initial cost of the project is borne by the Town and the residents pay for 50% of the cost of the betterment (principal and interest) as an add-on to their tax bill spread over a period of 20 years. The remaining 50% is incurred by the Town.

ARGUMENTS IN FAVOR: The town currently maintains all roads in town including the unimproved ones. The maintenance of these unimproved roads, such as grading etc., generally is more extensive and expensive than paved roads. Although the town pays for 50% of the improvement, it is a better investment in the long run. A paved road is a safer road and will allow easier access by emergency vehicles.

ARGUMENTS OPPOSED: This will add to the tax bill of all taxpayers, not just the ones whose roads are improved.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority - see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds - see Chapter 44, Section 7.

ARTICLE *26*: ACQUIRE THE DOW PROPERTY ON ROUTE 30

Proposed by: Board of Selectmen *Estimated Cost: $30,000.00*

To determine whether the Town will vote to authorize the Board of Selectmen, with the approval of Town Counsel as to form, to acquire by purchase, eminent domain, gift or otherwise the fee or any lesser interest in the land owned by the Dow Chemical Company off Route 30 and Rice Road, containing 28.2 acres, more or less, in all or any portion of said land, for municipal purposes; to determine whether the Town will appropriate a sum of money for the acquisition of said land or interest therein; and to determine whether said appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing, or otherwise.

FINANCE COMMITTEE COMMENTS: The Dow property is located at the intersection of Route 30 and Rice Road. It is currently owned by the Dow Chemical Company. It has been determined that hazardous waste is located at the property. The Dow Chemical Company has assumed responsibility for the hazardous waste and has pledged to clean up the site. Cleanup is not yet complete. The cleanup effort is monitored by an advocacy group, NED/Dow Neighbors, Inc., and the DEP. Ownership of the Dow property may lead to the Town becoming a responsible party in the cleanup of the site. The sale of the property to the Town would not negate Dow's responsibility to clean up the site. The fair market value of the property is currently unknown. The Town is in the process of obtaining an appraisal.

The current by-laws state that 55-foot wireless communication towers can be placed, among other locations, on Town-owned property and land zoned for limited commercial use. The Dow property is zoned for limited commercial use.

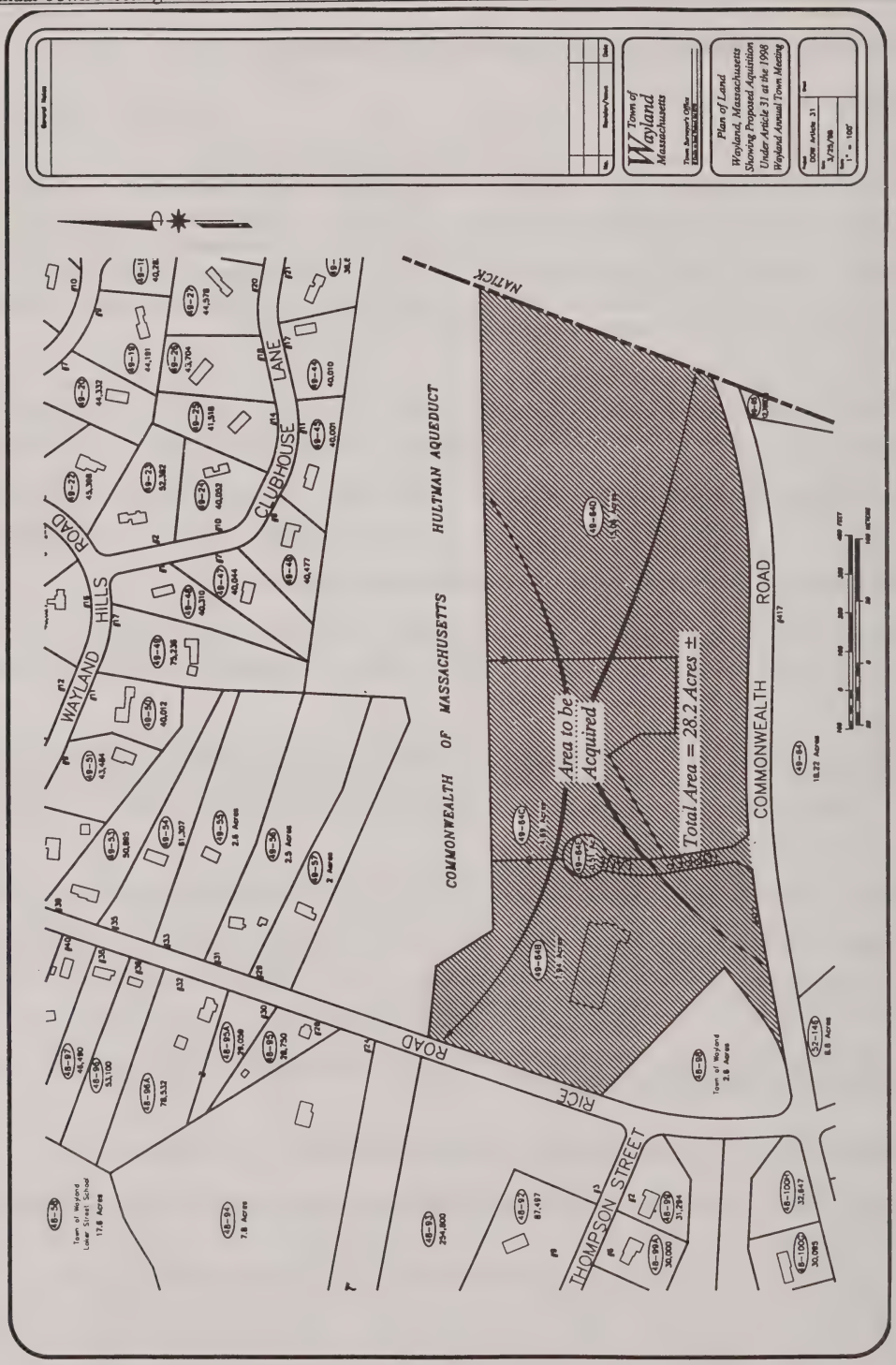
ARGUMENTS IN FAVOR: This Article would give the Town more control in determining the final disposition of the Dow property. The Dow property is located in an area of Town which has experienced considerable growth in recent years. Town ownership of the Dow property would assist the Town in controlling the growth along the Route 30 corridor.

ARGUMENTS OPPOSED: At the time of this report, the Town has yet to ascertain a purchase price for the property. The cost could be substantial. The definition of "for municipal purposes" is too broad. The Town would then have the authority to convert the property to conservation land or to install a fuel depot, wireless communication towers, a public safety building, a school building, etc., on this site. This broad definition still leaves the final usage of this property in flux.

Ownership of the Dow property may make the Town a responsible party in the cleanup effort. This is an unknown cost. The cost could be substantial.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Two-thirds - see Massachusetts General Laws Chapter 40, Section 14 and Chapter 44, Section 7.


Town of Wayland Massachusetts
Town Surveyor's Office
Plan of Land
Wayland, Massachusetts
Showing Proposed Aquisition
Under Article 31 at the 1998
Wayland Annual Town Meeting
Date: 3/25/98
Scale: 1" = 100'
WAYLAND HILLS ROAD
CLUBHOUSE LANE
COMMONWEALTH OF MASSACHUSETTS
HULTMAN AQUEDUCT
NATICK
Area to be Acquired
Total Area = 28.2 Acres ±
COMMONWEALTH ROAD
RICE ROAD
THOMPSON STREET
Town of Wayland Lower Street School 17.8 Acres
Town of Wayland 2.8 Acres
18.22 Acres
8.8 Acres

ARTICLE 27: REZONE DOW PROPERTY ON ROUTE 30 FROM LIMITED COMMERCIAL TO RESIDENTIAL

Proposed by: Petitioners

To determine whether the Town will vote to:

Rezone the property owned by the Dow Chemical Company on Route 30 and Rice Road shown as lots 2, B, and C on plates 48 and 49 of the Town Atlas, comprising 29.4 acres more or less from a Limited Commercial District to a Residential District.

FINANCE COMMITTEE COMMENTS: The Dow property is located at the intersection of Route 30 and Rice Road. It is currently owned by the Dow Chemical Company. Prior to Dow's ownership, the property was zoned as residential property. A portion of the property was rezoned to a Limited Commercial District to accommodate Dow Chemical Company. Dow utilized a 23,000-square foot facility with 40 employees. This Article would return the property to its original residential zoning. The Town may legally rezone the property at Town Meeting without any prior notification to Dow.

It has been determined that hazardous waste is located at the property. The Dow Chemical Company has assumed responsibility for the hazardous waste and has pledged to clean up the site. Cleanup is not yet complete. The cleanup effort is monitored by an advocacy group, NED/Dow Neighbors, Inc., and the DEP.

The current by-laws state that 55-foot wireless communication towers can be placed, among other locations, on Town-owned property and land zoned for limited commercial use. The Dow property is zoned for limited commercial use.

ARGUMENTS IN FAVOR: The Dow property is located in an area of Town which has experienced considerable growth in recent years. If a commercial development was built on this site, the resulting increase in traffic, congestion, pollution and noise would have a negative impact on the surrounding community. The neighborhood which abuts this property is all residential. Rezoning the Dow property to residential property maintains the character of the neighborhood and restores the site to its original zoning classification.

Installation of wireless communication towers in this neighborhood would negatively impact the semi-rural character of the neighborhood. Rezoning the Dow property to residential property protects the neighborhood from the installation of wireless communication towers on the site. Wireless communication towers cannot be installed on residential property.

ARGUMENTS OPPOSED: Residential zoning could ultimately mean more residential growth. This may translate into more demand for Town services, i.e., schools, fire, police, etc. Rezoning to residential property would mean the loss of future commercial tax base.

If Town Meeting rezones the Dow property from a limited commercial use to residential property, the rezoning may subject the Town to a lawsuit by Dow Chemical for economic devaluation of its property. In the opinion of Town Counsel, Dow would not prevail. However, the cost of litigation may be substantial.

RECOMMENDATION: The Finance Committee recommends against approval. Vote: Unanimous.

QUANTUM OF VOTE: Two-thirds - see Massachusetts General Laws Chapter 40A, Section 5.

ARTICLE *28*: PURCHASE DOW PROPERTY ON ROUTE 30 FOR CONSERVATION AND RECREATION PURPOSES

Proposed by: Petitioners *Estimated Cost: Unknown*

To determine whether the Town will vote:

(a) to authorize the Board of Selectman, with approval of Town Counsel as to form, to acquire for conservation and recreation purposes by gift, purchase, eminent domain or otherwise, the fee or any lesser interest in the parcel of land described below:

the property owned by Dow Chemical Company on Route 30 and Rice Road, shown as lots 2, B, and C on plates 48 and 49 of the Town Atlas, comprising 29.4 acres more or less.

(b) to appropriate a sum of money for acquisition of said parcels of land; and

(c) to determine whether said appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing, by grant from the Commonwealth or the Federal Government, or otherwise.

FINANCE COMMITTEE COMMENTS: This article seeks to obtain funding to purchase the Dow Chemical property for conservation or recreation purposes. The Dow property is located at the intersection of Route 30 and Rice Road. It is currently owned by the Dow Chemical Company. It has been determined that hazardous waste is located at the property. The Dow Chemical Company has assumed responsibility for the hazardous waste and has pledged to clean up the site. Cleanup is not yet complete. The cleanup effort is monitored by an advocacy group, NED/Dow Neighbors, Inc., and the DEP. Ownership of the Dow property may lead to the Town becoming a responsible party in the cleanup of the site. The sale of the property to the Town would not negate Dow's responsibility to clean up the site. The fair market value of the property is currently unknown. The Town is in the process of obtaining an appraisal. The current by-laws state that 55-foot wireless communication towers can be placed, among other locations, on Town-owned property and land zoned for limited commercial use. The Dow property is zoned for limited commercial use.

ARGUMENTS IN FAVOR: The Dow property is located in an area of Town which has experienced considerable growth in recent years. This Article would assist to limit the growth along the Route 30 corridor. The purchase of this property for conservation land and recreation purposes narrows the purposes of this land use (see Article 26).

ARGUMENTS OPPOSED: At the time of this report, the Town has yet to ascertain a purchase price for the property. The cost could be substantial.
Ownership of the Dow property may make the Town a responsible party in the cleanup effort. This is an unknown cost. The cost could be substantial.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Two-thirds - see Massachusetts General Laws Chapter 40, Section 14 and Chapter 44, Section 7.

ARTICLE *29*: WAYLAND/SUDBURY SEPTAGE TREATMENT FACILITY BUDGET

Proposed by: Septage Committee *Estimated Cost: $859,600.00*

To determine whether the Town will vote to appropriate a sum of money to be expended by the Septage Committee for the operation of the Wayland/Sudbury Septage Treatment Facility, and to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing or otherwise.

FINANCE COMMITTEE COMMENTS: This Article provides funds for the annual appropriation of the Wayland/Sudbury Septage Treatment Facility.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority - see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds - see Chapter 44, Sections 7 and 8.

	SEPTAGE BUDGET FY 1999	EXPENDED FY97	APPROVED FY 98	RECOMMENDED FY99
1	SALARIES	$139,000	$142,790	$150,000
	EXPENSE			
2	OPERATING EXPENSE	$53,000	$80,000	$60,000
3	OTHER EXPENSE	$15,000	$11,000	$11,000
	EXPENSE UTILITY-MISC.	$4,900	$0	$5,000
4	CONTRACTED/PROFESS SERVICES	$0	$5,000	$5,000
	CONTRACT SERVICES/DIRECTOR	$0	$0	$45,000
	LEGAL SERVICES	$0	$0	$5,000
5	OUT OF STATE TRAVEL	$0	$1,500	$1,000
	EQUIPMENT			
6	CAPITAL REPLACEMENT	$16,200	$25,000	$14,000
7	PURCHASE/RENTAL	$4,800	$5,000	$4,000
8	MAINTENANCE/REPAIRS	$20,000	$20,750	$24,000
9	MATERIAL/SUPPLIES	$4,125	$4,000	$4,500
	BUILDING/MAINT EXPENSE			
10	MAINT/REPAIRS/RENOVATIONS	$4,200	$5,000	$6,500
11	BUILDING UTILITIES	$1,780	$2,000	$2,000
	OTHER EXPENSE	$3,700	$4,000	$4,000
	SPECIAL BUDGET ITEMS			
12	ENGINEERING SERVICES	$31,000	$40,000	$36,000
13	DEBT SERVICE	$143,500	$125,315	$121,000
	SLUDGE DISPOSAL	$0	$80,000	$120,000
	GROUND WATER MONITORING	$0	$0	$25,000
	AUDIT	$0	$0	$3,000
	INDIRECT EXPENSES			
14	ADMINISTRATION	$40,000	$40,000	$40,000
15	INSURANCE FRINGE BENEFITS	$18,400	$20,400	$20,400
16	OTHER INSURANCE	$4,400	$4,400	$4,400
17	RETIREMENT BENEFITS	$35,800	$35,800	$35,800
18	GREASE DISPOSAL	$24,000	$35,000	$52,000
19	RESERVE FOR EMERGENCY REP	$6,324	$150,000	$60,000
20	SEPTAGE COMMITTEE SEC.	$826	$0	$1,000
	TOTAL BUDGET REQUEST	$570,955	$836,955	$859,600
	REVENUE SOURCES			
	ANTICIPATED REVENUE	$673,200	$625,000	$640,000
	RETAINED EARNINGS	$121,940	$202,050	$219,600
	TOTAL REVENUES	$795,140	$827,050	$859,600

ARTICLE *30*: IMPROVEMENTS TO PUBLIC PROPERTIES AND BUILDINGS

Proposed by: Board of Selectmen *Estimated Cost: $53,650.00*

To determine whether the Town will vote to appropriate a sum of money to be expended by the Board of Selectmen to make various physical improvements to various public buildings and properties including but not limited to exterior painting of the Wayland Town Building, physical improvements to enhance handicapped accessibility, and exterior improvements to the Wayland Depot; and to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing or otherwise.

FINANCE COMMITTEE COMMENTS: This Article is requesting an appropriation of $53,650 made up of four items which are generally for the improvement of the Town Building. The four items include: 1) $15,600 for repairing the roof on the Town Building, a portion of which is in need of replacement; 2) $23,550 for painting of the Town building; 3) $8,500 for a new copier to replace the existing copier that is constantly in need of repair due to exceeding the expected life and volume; and 4) $6,000 for the Wayland Depot, including monies for granite curbing, drainage work and material for the parking lot area.

ARGUMENTS IN FAVOR: These expenditures are necessary to maintain the physical structure of the Town Building, replace worn equipment, and to contribute to the improvements of the Wayland Depot. Delaying these expenditures could cause more wear and tear, resulting in temporary and more expensive service calls. In addition, the leaks in the roofs over the gymnasium can potentially create a hazardous situation.

ARGUMENTS OPPOSED: The Finance Committee is not aware of any other than it could be argued that the expenditures for the building repairs and copier replacements are too costly or should be deferred to a future period.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority - see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds - see Chapter 44, Section 7.

ARTICLE *31*: RESCIND 1997 ANNUAL TOWN MEETING VOTE AUTHORIZING LAND TRANSFER FEE LEGISLATION

Proposed by: Petitioners

To determine whether the Town will vote to direct the Board of Selectmen (1) to withdraw, nullify, and cancel its petition to the Massachusetts General Court to enact legislation authorizing the Town to collect a land-transfer fee pursuant to a vote taken under Article 26 at the 1997 Annual Town meeting; (2) to inform the General Court that the Town Meeting has just voted against such legislation, and (3) to work diligently and with all due haste to defeat the passage of such legislation by the General Court, each of said actions to be taken by the Board of Selectmen forthwith upon the dissolution of this Town Meeting.

QUANTUM OF VOTE: Majority.

ARTICLE *32*: RENOVATION OF VACANT SPACE IN TOWN BUILDING FOR THE CHILDREN'S WAY

Proposed by: Board of Selectmen *Estimated Cost: $680,000.00*

To determine whether the Town will vote to appropriate a sum of money to be expended by the School Committee for the purpose of renovating vacant space in the Wayland Town Building for the use of the Wayland School Department's preschool program known as The Children's Way; and to determine whether such appropriation shall be provided by taxation, transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing or otherwise.

FINANCE COMMITTEE COMMENTS: This Article seeks to authorize funding for the renovation of vacant space in Town Building for The Children's Way. The Children's Way is a fee-based preschool program under the auspices of the Wayland Public Schools. This program provides early childhood education for 128 Wayland preschool children, approximately ten of whom have special needs. Wayland is obligated by law to provide a program for individuals with special needs, ages 3 to 22. The Children's Way saves up to $90,000 per year for the taxpayers of Wayland because the program is provided in district. The costs of out of district placements are significantly higher.

The Children's Way has moved twelve times during the past six years. Currently, the program is located at one elementary school and the high school. Due to increased school enrollment, the schools desperately need the classroom space returned. The second floor space in the Wayland Town Building has been vacant for 22 years. The Children's Way wants to renovate this space for housing six preschool classrooms, office and storage space. The cost to renovate has been estimated at $680,000. The Children's Way proposes to finance this capital project through a municipal bond. All costs of the capital project, approximately $83,000 per year, would be passed on to the participants of the Wayland Public Schools fee-based programs.

ARGUMENTS IN FAVOR: The proposed Children's Way Facility at Wayland Town Building benefits the community of Wayland. It provides much needed space for The Children's Way preschool program. This classroom space may be used for community programs after school. Classroom space is returned to the schools. This classroom space is needed due to increased student enrollment, K-12. The capital project is not financed through an increase in the tax base, but rather through costs passed through to the participants of school fee-based programs and through increased fund-raising by The Children's Way.

ARGUMENTS OPPOSED: If The Children's Way defaults on the bond payments, then the Town has the ultimate responsibility to pay the bonds.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority - see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds - see Chapter 44, Section 7.

ARTICLE 33: TRANSFER AND LEASE WATER DEPARTMENT LAND FOR WIRELESS COMMUNICATIONS EQUIPMENT

Proposed by: Board of Selectmen

To determine whether the Town will vote:

(a) to instruct the Board of Water Commissioners, with the approval of Town Counsel as to form, to transfer the care, custody, management and control of all or any portion of the parcels of land and the structures thereon on and off Old Connecticut Path (East) shown as Parcels 26, 26A and 27 on Assessors Map 34 to the Board of Selectmen for the purpose of leasing all or any portion of said land and structures to a company or companies which provide wireless communications services.

(b) to authorize the Board of Selectmen, with the approval of Town Counsel as to form, to lease all or any portion of the land and the structures thereon described in Paragraph (a) above to a company or companies which provide wireless communications services.

FINANCE COMMITTEE COMMENTS: This article allows for the transfer of land, or portions of land, on which a Town water tower is sited from the Board of Water Commissioners to the Board of Selectmen. These parcels are situated on Reeves Hill near the intersection of Route 27 and Old Connecticut Path. The Board of Selectmen would also be authorized to lease all or a portion of this land to site wireless communication equipment.

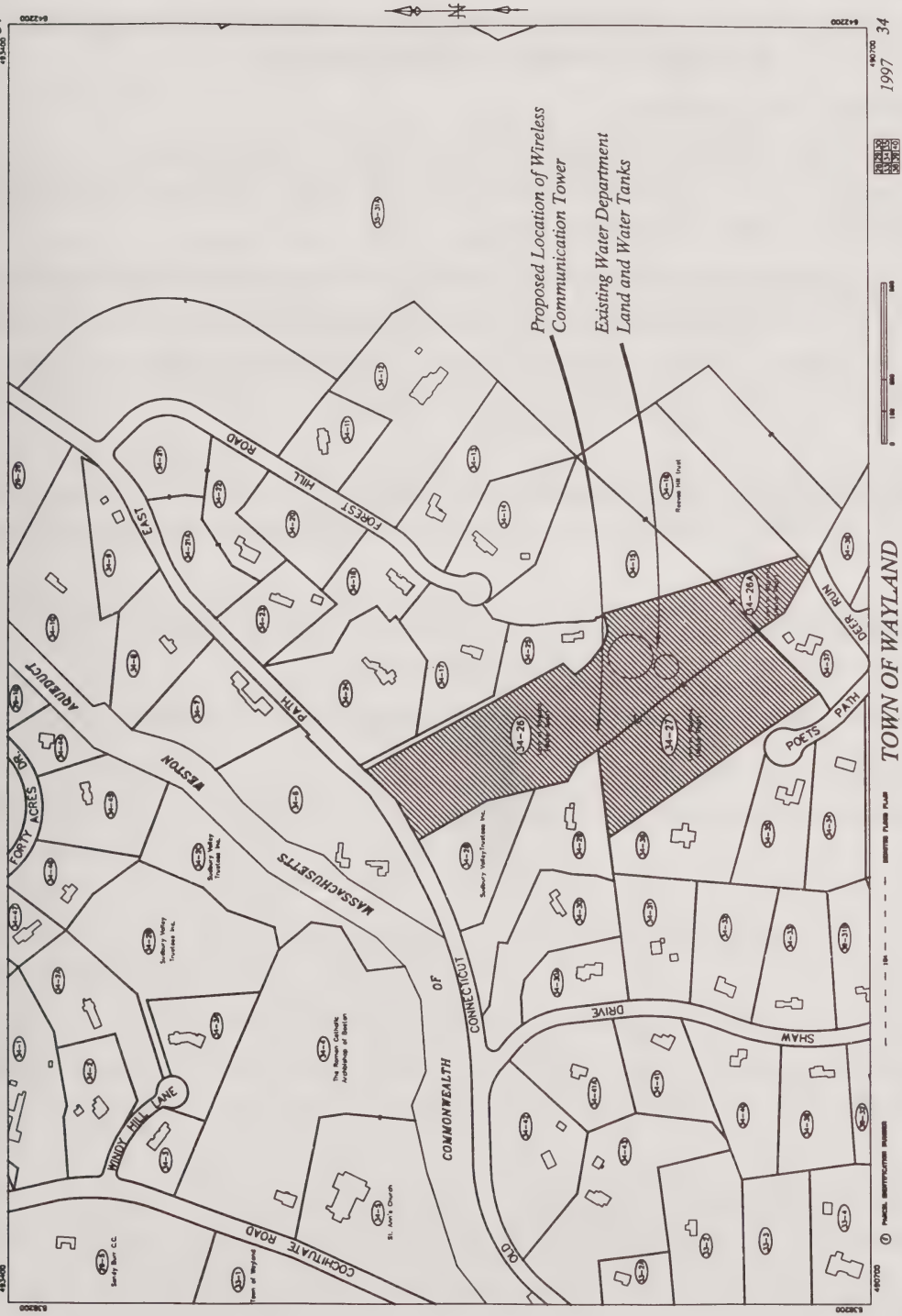
ARGUMENTS IN FAVOR: The Town is required by federal statute to make available to wireless communication companies an adequate number of sites. The Reeves Hill parcels provide one of the best sites in Wayland for a wireless communication tower(s). It might be possible to serve most of the southern portion of the Town from this land. Because of Reeves Hill's elevation, the height of a communications tower(s) need not be excessive and might be substantially hidden from view. The parcels provide good access, and the Town would benefit financially from a lease arrangement. Only the Board of Selectmen has the power to lease property.

ARGUMENTS OPPOSED: The Water Department land is situated in a residential zone with houses in close proximity. A communications tower(s) might be visible to nearby homeowners and possibly to others. If the site is open to one company, the Town might find it difficult not to allow other companies to use this site. The result might be a series of towers that would be aesthetically compromising.

There is also a concern that unrestricted construction of wireless towers and facilities might compromise the placement of an anticipated additional water tower on the Reeves Hill property. A number of issues, including access to the site by private wireless concerns, need to be studied further and discussed before authorization is given to lease any portion of said property.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous. Finance Committee approval is subject to a subsequent affirmative vote by the Water Commissioners.

QUANTUM OF VOTE: (a) Two-thirds - see Massachusetts General Laws, Chapter 40, Section 15A.
(b) Majority - see Massachusetts General Laws, Chapter 40, Section 3.


Proposed Location of Wireless Communication Tower
Existing Water Department Land and Water Tanks
TOWN OF WAYLAND
1997
34
FOREST HILL ROAD
EAST PATH
WESTON AQUEDUCT
MASSACHUSETTS
COMMONWEALTH OF
CONNECTICUT
OLD
SHAW DRIVE
POETS PATH
DEER RUN
FORTY ACRES
WINDY HILL LANE
COCHITUATE ROAD
Sudbury Valley Trustees Inc.
The Roman Catholic Archbishop of Boston
St. Ann's Church
Town of Wayland
Sudbury Valley Trustees Inc.
Sudbury Valley Trustees Inc.
Sudbury Valley Trustees Inc.

ARTICLE *34*: RESCIND VOTE OF NOVEMBER 13, 1996 SPECIAL TOWN MEETING RE: ARTICLE 8, WIRELESS COMMUNICATION

Proposed by: Board of Selectmen

To determine whether the Town will vote to rescind the vote of the Special Town Meeting held on November 13, 1996 under Article 8 of the Warrant therefor relative to the transfer and lease of Town-owned land for wireless communications towers.

FINANCE COMMITTEE COMMENTS: STM in November 1996 voted to transfer parcels of land on Boston Post Road described in an order of taking dated February 21, 1955, and recorded with the Middlesex South Registry of Deeds in Book 8424, Page 389, to the Board of Selectmen from the Board of Health, for the purpose of leasing all or part of the land to a company or companies that provide wireless communication services. Federal law requires that towns make land available for wireless communication services. The Board of Selectmen now want to rescind this vote.

ARGUMENTS IN FAVOR: Subsequent Town Meetings have voted to make land available for wireless communication services that better meet the criteria for good siting and that are more environmentally and aesthetically suitable. In addition, construction on the old landfill site might be problematic because of state and federal statutes.

ARGUMENTS OPPOSED: An alternative course might involve no action until better information is developed as to the viability of this site. In the meantime, the Board of Selectmen has the authority to "just say no" to wireless companies wanting to lease a portion of this parcel.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority.

ARTICLE 35: AMEND SECTION 19-3 OF TOWN BY-LAWS

Proposed by: Petitioners

To determine whether the Town will vote to amend §19-3 of its General By-Laws (1997 ed.) by restricting the form and content of the Finance Committee's reports on non-financial articles as contained in the warrant for any town meeting.

FINANCE COMMITTEE COMMENTS: The Town of Wayland General By-laws authorize the Finance Committee to comment on all articles submitted for Town Meeting approval. At present, the Board of Selectmen grant the Finance Committee space within the Warrant to include this comment, which might otherwise appear in the Report of the Finance Committee. Presently included in the Finance Committee write-ups (such as this one) are comments, arguments in favor, arguments opposed, and a recommendation with recorded vote. In the 1997 Warrant, the Finance Committee estimates that two-thirds of the articles were finance-related, with several of the remaining ones constituting "standard" articles such as "hear reports" and "choose Town officers." The motion under this article asks the Town to vote to restrict the Finance Committee write-ups in one of two ways: by not submitting a write-up at all on non-finance-related articles, or by submitting a write-up without making a recommendation on non-finance-related articles. The decision as to whether or not an article is finance-related would be determined by the Finance Committee using the definition in this article.

ARGUMENTS IN FAVOR (SUBMITTED BY THE PETITIONERS):

1. The Finance Committee lacks substantial understanding and experience in non-financial matters concerning the Town.
2. Comments of the Finance Committee lack objectivity, balance, and fairness when they reflect political considerations. Because FinCom members are political appointees of the executive branch of government and thereby do not answer to the public, the FinCom's statements and decisions are not immune to being politically motivated.
3. The Finance Committee usually opposes articles that enhance town government democracy.
4. The Finance Committee should not report on articles in which it has self-interest in the outcome, particularly those that directly affect the FinCom itself.
5. The Finance Committee has a palpable bias against most petitioners' articles and spends too little time and effort in fairly evaluating them.
6. Pursuant to state law, Town meeting presently receives the report of the Planning Board regarding any articles pertaining to plans or proposals for the development of the Town. The Finance Committee's reports on such articles are redundant and inexpert.
7. The Finance Committee overburdens itself by commenting on every article. It should focus its limited resources on financial articles. If it did so, it would be possible to substantially reduce the time from warrant closing date to town meeting, presently four months or more. Perhaps if the Finance Committee concentrated its attention on financial matters, the Town's escalating property taxes could be better controlled or even reduced.

ARGUMENTS IN FAVOR: The Finance Committee may be less well-versed in non-financial matters and therefore less capable of commenting and recommending. It might be argued that the Finance Committee write-ups on non-finance articles to date have not been of sufficient quality to merit their continued inclusion. Moreover, the high number of articles results in the Finance Committee spending less time per article than might otherwise be spent if non-finance-related articles were removed from the Finance

Committee's purview. As with any individual or group who would submit a write-up, the Finance Committee is not immune to bias.

ARGUMENTS OPPOSED: Assuming that such write-ups on non-finance articles are removed, no mention is made as to who might submit such write-ups in the Finance Committee's place, if anyone. Write-ups in some form should remain in the Warrant in order to help the voters prepare for the broad range of topics contained therein. Finance Committee write-ups on all articles add clarity for the voters. As an appointed board, the Finance Committee is not subject to the same political pressures as might be an elected board. It can be argued that the Finance Committee's write-ups to date have been of sufficiently high quality to merit continued inclusion in the Warrant. The Finance Committee makes recommendations knowing that the Town decides what extends "town government democracy." The Finance Committee has no palpable bias against petitioners' articles and spends an appropriate amount of time in fairly evaluating them. Finance Committee write-ups have no bearing on property taxes.

RECOMMENDATION: Noting a biased perspective on this article, the Finance Committee recommends against approval. Vote: 6-0-1 abstention.

QUANTUM OF VOTE: Majority - see Massachusetts General Laws Chapter 40, Section 21.

ARTICLE *36*: RETAIN SERVICES OF CONSULTANT RE: TOWN MEETING MINUTES

Proposed by: Board of Selectmen *Estimated Cost: $12,000.00*

To determine whether the Town will vote to appropriate a sum of money to be expended by the Town Clerk for the services of a consultant to combine the text of town meeting minutes from 1930 to present and convert them into a search-and-retrieval computerized system; and to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing or otherwise.

FINANCE COMMITTEE COMMENTS: Presently, the Town Meeting minutes are kept in hard copy only with access only by going through each of the individual records. When there are questions regarding past decisions, the only way presently to retrieve the information is for the individual (in most cases the Town Clerk) to go back through each of the Town Meetings and search for the information. Requests are frequent and can number several times per week. A computerized system will allow for a rapid search by key words or subjects. The $12,000 will pay for the software and the labor to scan and input all of the information. The current hardware is compatible for the application and will be utilized.

ARGUMENTS IN FAVOR: The installation of this system will provide rapid access to information and decisions that the Town has made going back to 1930. This will save significant time in not having the clerk spend many hours trying to find information on decisions that occurred in previous Annual Town Meetings. Along with being available to the Town employees, it will also be available to residents of the Town for searches, copying of text and cross referencing information. There is also the possibility that Board of Selectmen's minutes could be incorporated into the system. Updating of the information will be done each year by scanning in the official minutes of that year's Town Meeting.

ARGUMENTS OPPOSED: The information is currently available to all who request it at no additional cost to the Town.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority - see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds - see Chapter 44, Section 7.

ARTICLE *37*: ADOPT BY-LAW FOR REGULATING UTILITY CUTS IN TOWN WAYS

Proposed by: Board of Road Commissioners

To determine whether the Town will vote to amend the General By-Laws of the Town by adopting a new by-law regulating cuts in Town ways.

FINANCE COMMITTEE COMMENTS: Presently there is a Town Regulation that controls the procedures that contractors and utilities must use in order to dig up roads, sidewalks, and rights of way. If followed, the procedures result in uniform and high quality restorations. The proposed article would convert the Regulation to a By-law. Control of quality will extend the life of our roads and the smoothness of their surfaces. In the past, contractors have often closed excavations poorly and left them to continue to sink and degrade. The present 3-year old regulation has generally been successful, but compliance is expected to improve if it is in the form of a by-law.

ARGUMENTS IN FAVOR: The present regulation is vital to the quality of our town's roads and sidewalks. As a by-law it will have more visibility, it will be more binding, and it will become more enforceable.

ARGUMENTS OPPOSED: The Finance Committee is not aware of any.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority - see Massachusetts General Laws Chapter 40, Section 21.

ARTICLE *38*: AMEND ARTICLE 21 OF THE TOWN BY-LAWS

Proposed by: Petitioners

To determine whether the town will vote to amend Article 21 of the Town By-Laws for "Changing Public Ways" as follows:

Prior to appropriating funds for the planned construction, alteration, or reconstruction of any road, bridge, or sidewalk where pavement is to be placed where the width of the paved surface is to be increased, the Town Committee, Board or Commission having authority to expend funds for such construction, alteration, or reconstruction shall receive approval in writing from the Conservation Commission and the Planning Board regarding conformity to best management practices for drainage as well as width of road, tree removal and environmental issues. Road widths shall remain unchanged unless changes are approved in writing by the Planning Board. Said Town Committee, Board or Commission shall also hold a public hearing for the purpose of gathering public comments and input on said proposed construction, alteration,

or reconstruction. Notice of said hearing, giving the time, place and general subject matter, sufficient for identification, shall be placed in a newspaper of general circulation in the Town, once in each of two (2) successive weeks, with the first such publication being not less than fourteen (14) days before the hearing. In addition, a copy of the notice shall be mailed not less than fourteen (14) days before the hearing to the abutters of the property where such work is proposed and to owners of any other properties to be directly affected thereby. Written comments shall be accepted by the Committee, Board or Commission, for at least ten (10) days following said hearing. If ten (10) or more abutters object at the hearing or in writing within ten (10) days of the hearing, the existing paved surface shall not be widened.

FINANCE COMMITTEE COMMENTS: This article proposes a change of the By-law Article 21, (Chapter 158-3 of the new Town Code) to require that no paving that results in an increase of the pavement width be undertaken without first obtaining approval from the Conservation Commission and the Planning Board.

PETITIONER'S COMMENTS: The residents of this Town have made it very clear that, for the most part, they do not want to widen the roadways, bridges, or sidewalks or to remove shade trees. The widening of Route 30 about three years ago has resulted in the escalation of the present-day Route 30 traffic dilemma facing this Town.

ARGUMENTS IN FAVOR: Widening of the roads is contrary to public opinion and increases reconstruction costs.

ARGUMENTS OPPOSED: The revised article is flawed in several respects: the current by-law already includes restrictions on widening (altering) of pavement widths; the current by-law already provides for a public forum to address this matter; appropriation of funds is not an adequate restriction since most paving funds come from the Commonwealth and are never appropriated by the Town; "environmental issues" is too vague a foundation for disapproving a project; and the need for review by the Conservation Commission and the Planning Board should apply to all road improvement projects, not just those being widened. Moreover, amending a by-law is not the proper remedy for lack of enforcement of an existing by-law.

RECOMMENDATION: The Finance Committee recommends against approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority - see Massachusetts General Laws Chapter 40, Section 21.

ARTICLE *39*: FLEET MAINTENANCE FACILITY

Proposed by: Board of Road Commissioners and Park and Recreation Commissioners

Estimated Cost: $25,000.00

To determine whether the Town will vote to appropriate a sum of money to be expended by the Board of Road Commissioners for plans and cost estimates for construction of a fleet maintenance addition to the Highway Department Garage to be utilized jointly by the Park and Recreation and the Highway Departments; and to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated available funds, by transfer of funds already appropriated for another purpose, by borrowing or otherwise.

FINANCE COMMITTEE COMMENTS: This Article will provide funds for a study and cost estimate for extending the present garage in an easterly direction (toward the Middle School) by the width of three

bays. The new garages will have doors at each end, providing up to six active bays. Expectations are to have ample work height and area and some hydraulic lift capacity. Some of the old bay space would be converted to much-needed storage.

ARGUMENTS IN FAVOR: The present work bays are often inadequate and unsafe when working on many of today's large and complicated vehicles. Some vehicles must be repaired outdoors. With the added capacity, some services may be provided to other Town vehicles.

ARGUMENTS OPPOSED: The present facility is already unsightly and intrusive in the neighborhood. The ultimate cost for this addition is expected to be prohibitive. If the garage is ever to be relocated, this investment would be wasted. The specialized services can be outsourced for less total cost.

RECOMMENDATION: The Finance Committee recommends against approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority - see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds - see Chapter 44, Section 7.

ARTICLE *40*: FUND ACQUISITION OF CONSERVATION LAND ON SEDGEMEADOW ROAD AND MOORE ROAD

Proposed by: Conservation Commission *Estimated Cost: $6,000.00*

To determine whether the Town will vote to appropriate a sum of money to be expended by the Board of Selectmen for the acquisition of the fee or any lesser interest in the three parcels of land described below (using the Town Assessors' parcel designations for the adjoining parcels and approximate distances):

Parcel 1: bounded on the northwest 50 feet by Parcel 14-48C; on the northeast 124 feet by Parcel 10-38; on the southeast 100 feet by Sedgemeadow Road; and on the southwest 124 feet by Parcel 10-37;

Parcel 2: bounded on the northwest 50 feet by Parcel 14-48C; on the northeast 243 feet by Parcel 10-49; on the southeast 102 feet by Moore Road; and on the southwest 247 feet by parcel 10-48; and

Parcel 3: bounded on the northwest 100 feet by Sedgemeadow Road; on the northeast 236 feet by Parcel 14-52; on the southeast 50 feet by Parcel 14-48C; and on the southwest 237 feet by Parcel 14-53;

and to determine whether said appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by grants from the Commonwealth or the Federal Government, by borrowing or otherwise.

FINANCE COMMITTEE COMMENTS: This Article seeks to authorize funding for the acquisition of access roads to the Sedgemeadow Conservation Area. As the attached map shows, when this part of the Watertown Dairy land was subdivided, the subdivision plans showed these three parcels as spur roads contiguous with Moore Road or Sedgemeadow Road. The parcels were never taken by the Town as roads and they are now privately owned by the abutting lot owners. The Town does hold rights of access through the parcels, but the Conservation Commission wishes to be able to manage and control these three parcels as conservation land, to be kept in their natural condition except for any trails, cart paths or

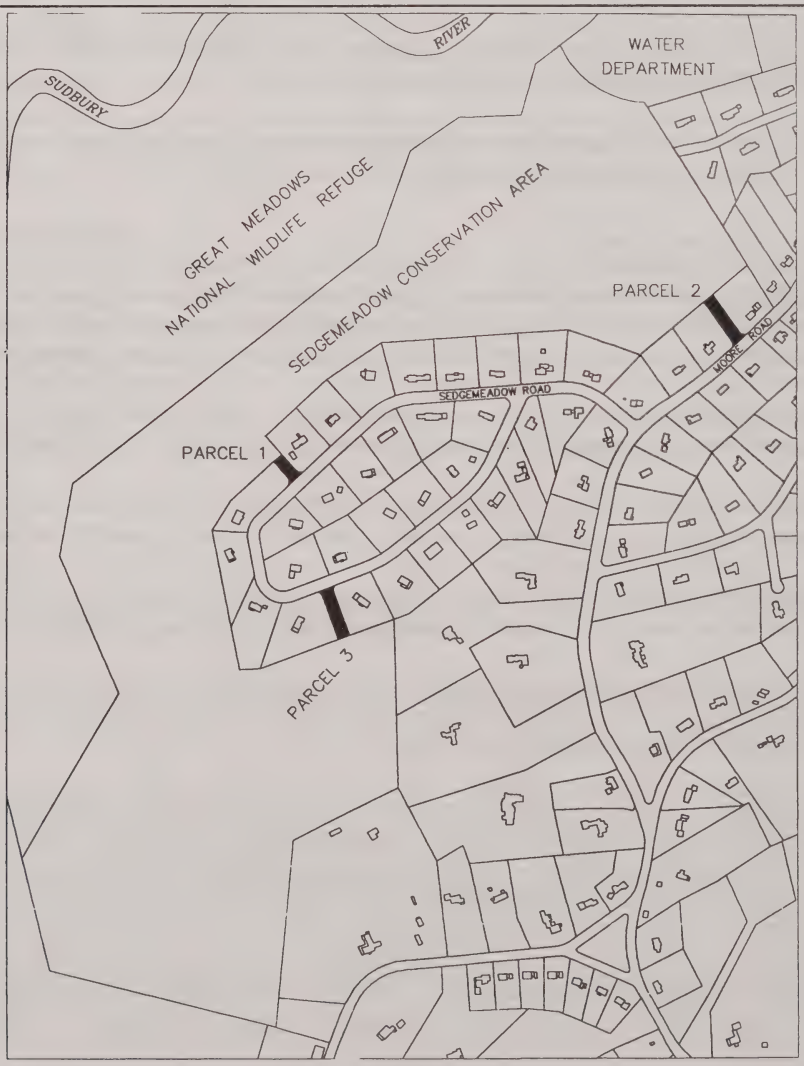
driveways, as needed for access. Negotiations with the owners are currently in progress and appraisals have been requested.

ARGUMENTS IN FAVOR: The Conservation Commission needs to be able to maintain a functioning access road to the Sedgemeadow Conservation Area.

ARGUMENTS OPPOSED: The cost is unknown at the time of this report. This is an estimated cost. The appraisal should be complete prior to Town Meeting.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Two-thirds - see Massachusetts General Laws Chapter 40, Section 14.



ARTICLE *41*: RELEASE A PORTION OF A CONSERVATION RESTRICTION AT 15 HOBBS ROAD

Proposed by: Conservation Commission

To determine whether the Town will vote to:

(a) instruct the Conservation Commission, with the approval of Town Counsel as to form, to transfer the care, custody and control of a portion of a conservation restriction at 15 Hobbs Road, as described in a deed recorded with the Middlesex South Registry of Deeds in Book 10338, Page 549, to the Board of Selectmen for the purpose of releasing said conservation restriction in consideration of the grant of a substantially similar conservation restriction as shown on the Plan entitled, "Plan of Land Showing Modification of Conservation Restriction at 15 Hobbs Road, Wayland, Mass." Scale 1 inch = 20 feet, dated August 29, 1994, revised November 25, 1997 and December 12, 1997, prepared by Mass Bay Survey, Inc. on file in the Office of the Town Clerk;

(b) authorize the Board of Selectmen, with the approval of Town Counsel as to form, and with the approval of all appropriate state agencies in accordance with Massachusetts General Laws Chapter 184, Section 32, to release all or part of the above-described conservation restriction in consideration of the grant of a substantially similar conservation restriction as shown on said Plan; and

(c) authorize the Conservation Commission, through the Town's representatives in the General Court of the Commonwealth of Massachusetts, to petition the General Court of the Commonwealth of Massachusetts to enact a special act pursuant to Article XCVII of the Articles of Amendment to the Massachusetts Constitution to authorize the change in use of all or part of the land covered by the above-described conservation restriction.

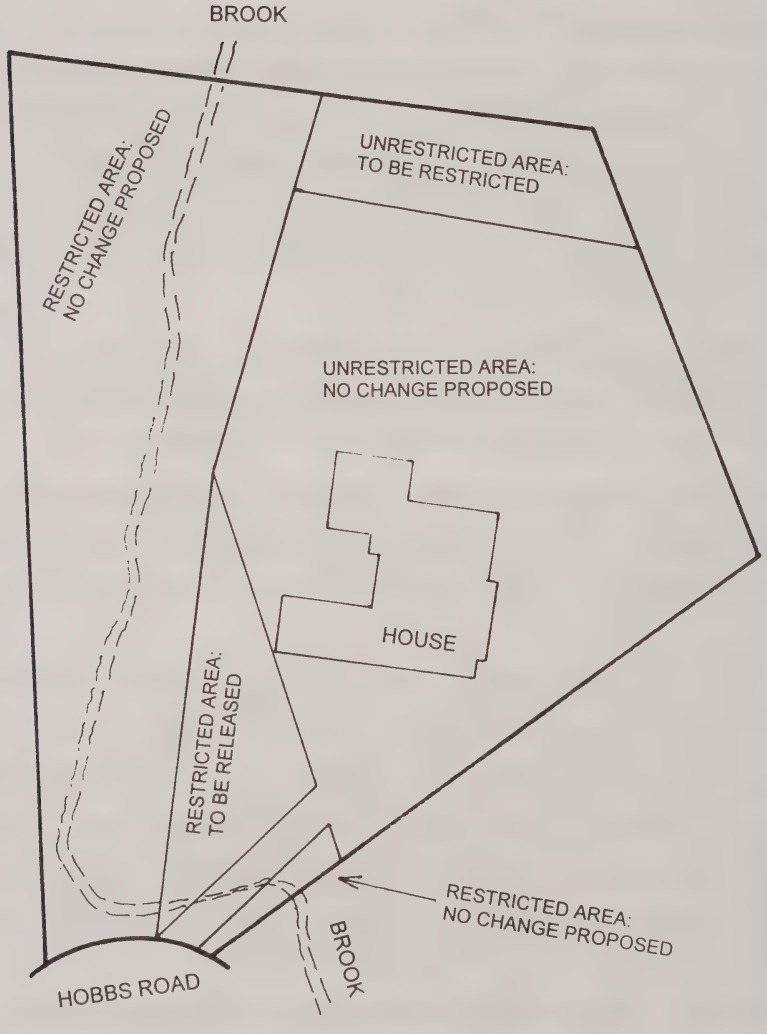
FINANCE COMMITTEE COMMENTS: This article seeks to release a portion of a conservation restriction on 15 Hobbs Road in consideration for the grant of a substantially similar conservation restriction. The conservation restriction in question was granted to the Town in 1962 to protect a tributary of Snake Brook. In 1994, the Conservation Commission (ConCom) learned that portions of the restricted land were seriously altered in noncompliance with the restriction. Negotiations and action leading to correction of the violation have been underway for many months, and much of the area has been restored. However, the ConCom believes that it is preferable to leave the certain areas of intrusion as they are, for example, the driveway is on restricted land. In compensation, the ConCom and the owner of the property have agreed to new land with similar conservation restrictions. Because part of the current restricted area will be released from restriction, action by Town Meeting and the Massachusetts Legislature is required.

ARGUMENTS IN FAVOR: This compromise is a reasonable way of resolving the problem.

ARGUMENTS OPPOSED: The Finance Committee is not aware of any.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: (a) Two-thirds - see Massachusetts General Laws Chapter 40, Section 15A.
(b) Majority - see Massachusetts General Laws Chapter 40, Section 3.
(c) Majority - see Massachusetts Constitution Amendment Article 2, Section 8 (1).



SKETCH PLAN OF LOT AT 15 HOBBS ROAD
SHOWING PROPOSED CHANGES TO CONSERVATION-RESTRICTION AREA

ARTICLE *42*: PETITION TO MAKE UNIFORM THE RESIDENTIAL ZONING DISTRICT NORTH OF ROUTE 20

Proposed by: Petitioners

Proposed: That the Zoning By-Laws of the Code of the Township of Wayland be amended in order to create a consistent zoning pattern for North Wayland, control the density of population and regulate the gross floor area of new single family dwellings by:

1) amending Article 2, Establishment of Districts, Section 201.2, and the accompanying plan incorporated by reference therein, so that all land north of Route 20 currently zoned under Article 10, Area, Yard and Bulk Regulations Section 198-1005.1.1.3 Residence Zone 40,000 square feet-180 feet Front shall meet the requirements of Section 198-1005.1.1.4 Residence Zone 60,000 square feet-210 feet Front, except that these requirements shall not apply to any parcel of land shown on a plan or described in a deed recorded prior to December 15, 1997, which parcel on that date conformed, or was considered to conform, to the area and frontage requirements of the Zoning By-Laws then in effect.

FINANCE COMMITTEE COMMENTS: This article proposes to make residential zoning uniform throughout property north of Route 20. Currently, zoning requires residential lots north of Route 20 to be mostly 40,000 square feet. This article proposes to zone residential lots north of Route 20 to be 60,000 square feet.

All developed and undeveloped residential parcels less than 40,000 square feet and up to 60,000 square feet would be grandfathered under this article. Town Counsel has stated that in his opinion the grandfathering clause in this article is permissible and valid.

This article does affect the 119 developed and undeveloped residential parcels which are greater than 60,000 square feet. The proposed zoning regulations may affect the ability of these owners to subdivide their residential lots.

ARGUMENTS IN FAVOR (PETITIONERS): The zoning district in question is inconsistent with all other residential zones north of Route 20. Currently, this is the only residential zoning district north of Route 20 that is zoned "Residence B," and the others are zoned "Residence A." This zoning district abuts Sudbury Valley Trustee land, Cow Common and the old Watertown Dairy property and it would be desirable, to the extent possible, to complement these open spaces. Further growth in residential development can be moderated and the accompanying congestion reduced. Existing lots are grandfathered and will not be nonconforming uses. Consequently, the grandfathering of preexisting lots should not create additional burdens on the Town government or owners when these owners seek to modify their property.

ARGUMENTS IN FAVOR (FINANCE COMMITTEE): The proposed larger residential lot sizes will help the Town keep its semi-rural character by trying to prohibit dense neighborhoods. It provides the Town with more tools to limit development and preserve Wayland's character.

ARGUMENTS OPPOSED (PETITIONERS): Selected developers and owners may have to reduce the number of lots they choose to develop.

ARGUMENTS OPPOSED (FINANCE COMMITTEE): This Article affects only one segment of the Wayland Residential Zoning. Other districts and areas of the Town are not addressed in this Article. Also, the legality of the grandfathering clause of this Article has not yet been tested in the courts.

RECOMMENDATION: The Finance Committee recommends against approval. Vote: 4 against, 3 abstentions.

QUANTUM OF VOTE: Two-thirds - see Massachusetts General Laws Chapter 40A, Section 5.

ARTICLE 43: PETITION TO INCREASE FRONTAGE REQUIREMENTS OF RESIDENTIAL REAL ESTATE

Proposed by: Petitioners

Proposed: That the Zoning By-Laws of the Code of the Township of Wayland be amended in order to control the density of population by:

amending Article 2, Establishment of Districts, Section 201.2, and the accompanying plan incorporated by reference therein, so that the frontage requirements of all land currently zoned under Article 10, Area, Yard and Bulk Regulations Section 198-1005.1.1.3 and Section 198-1005.1.1.4 - as follows:

	Current	Proposed
Section 198-1005.1.1.3 Residence Zone 40,000 square feet-180 feet Front	180 feet	210 feet
Section 198-1005.1.1.3 Residence Zone 60,000 square feet-210 feet Front	210 feet	250 feet

except that these requirements shall not apply to any parcel of land shown on a plan or described in a deed recorded prior to December 15, 1997, which parcel on that date conformed, or was considered to conform, to the frontage requirements of the Zoning By-laws then in effect.

FINANCE COMMITTEE COMMENTS: This article proposes to increase frontage requirements of residential real estate from 180 feet to 210 feet for lots zoned 40,000 square feet and to increase frontage requirements from 210 feet to 250 feet for lots zoned 60,000 square feet.

This article applies to the 40,000 square feet and 60,000 square feet districts of the entire Town. Developed residential lots which did not conform to the proposed zoning regulations would be considered grandfathered as the effective date of this article. Town Counsel has stated that in his opinion the grandfathering clause in this article is permissible and valid.

ARGUMENTS IN FAVOR (PETITIONERS): By increasing the frontage requirements for all residential properties, the growth in residential development can be moderated and the accompanying congestion reduced. Existing lots are grandfathered and will not be nonconforming uses. Consequently, the grandfathering of preexisting lots should not create additional burdens on the Town government or owners when these owners seek to modify their property.

ARGUMENTS IN FAVOR (FINANCE COMMITTEE): The proposed larger residential lot sizes will help the Town keep its semi-rural character by trying to prohibit dense neighborhoods.

ARGUMENTS OPPOSED (PETITIONERS): Selected developers and owners may have to reduce the number of lots they choose to develop.

ARGUMENTS OPPOSED (FINANCE COMMITTEE): This article affects only part of the Wayland Residential Zoning. Also, the legality of the grandfathering clause of this Article has not yet been tested in the courts.

RECOMMENDATION: The Finance Committee recommends against approval. Vote: 4 against, 3 abstentions.

QUANTUM OF VOTE: Two-thirds - see Massachusetts General Laws Chapter 40A, Section 5.

ARTICLE *44*: PETITION TO REGULATE RESIDENTIAL GROSS FLOOR AREA

Proposed by: Petitioners

Proposed: That the Zoning By-Laws of the Code of the Township of Wayland be amended in order to control the density of population and regulate the gross floor area of new single family dwellings by adding to Article 1, General Provisions, Section 198-104.2, Definitions, the following:

RESIDENTIAL GROSS FLOOR AREA ("RGFA")--The sum of the horizontal area(s) of the above-grade floors in the residential building(s) on a lot, excluding unfinished attics but including attached or detached garages. The RGFA shall be measured from the exterior face of the exterior walls.

and

amending Article 10, Area, Yard and Bulk Regulations Section 198-1004.1.1 by deleting "Residence Districts: 20%" and inserting:

Residence Districts: for any new single family residence constructed pursuant to a building permit issued on or after June 1, 1998, the greater of 3,500 square feet of Residential Gross Floor Area ("RGFA") or 10% of the lot up to a maximum of 6,000 square feet of RGFA. Any single family residence constructed in excess of 6,000 square feet of RGFA shall require site plan approval by the Planning Board in accordance with Section 198-1202.

FINANCE COMMITTEE COMMENTS: This article proposes to limit the gross floor area of a structure on a residential lot to 3,500 square feet of Residential Gross Floor Area (RGFA) or 10% of the lot up to a maximum of 6,000 square feet of RGFA. This article only applies to new single family residences.

The existing requirement states that the percentage of a lot that can be covered by any building shall not exceed 20% in all residential districts. This has been interpreted to include pavement. The proposed article would not control lot coverage including pavement.

ARGUMENTS IN FAVOR (FINANCE COMMITTEE): The proposed limits on residential structures' RGFA will help the Town keep its semi-rural character by trying to prohibit dense neighborhoods.

ARGUMENTS IN FAVOR (PETITIONERS): This will decrease the size and imprint of new houses on the landscape. To the extent developers and owners wish to exceed the stated limitations, they will need site plan approval which will afford the town an opportunity to seek improvements such as tree buffers.

ARGUMENTS OPPOSED (FINANCE COMMITTEE): The proposed limits on residential structures' RGFA place unfair limitations on owners of smaller lots. The proposed Article does not control lot coverage including pavement.

ARGUMENTS OPPOSED (PETITIONERS): The petitioners are not aware of any.

RECOMMENDATION: The Finance Committee recommends against approval. Vote: Unanimous.

QUANTUM OF VOTE: Two-thirds - see Massachusetts General Laws Chapter 40A, Section 5.

ARTICLE *45*: AMEND ZONING BY-LAW BY CHANGING §§198-301.1.2., 301.1.4., 301.1.5., AND 301.1.6. OF ARTICLE 3, NONCONFORMING USES

Proposed by: Planning Board

To determine whether the Town will vote to amend existing Article 3, Nonconforming Uses, of the Code (Zoning By-law) of the Town of Wayland by adding the words "structures or" to the title; by adding the words "structure or" to existing §198-301.1.2; by adding the words "has been abandoned, or" to existing §198-301.1.4; by adding the words "by natural causes or otherwise" to existing §198-301.1.5; and by adding the words "nonconforming structure, damaged or destroyed by natural disaster or otherwise" to existing §198-301.1.6; all, in pertinent part, as follows (new words are underlined):

Article 3
Nonconforming Structures and Uses

301.1.2. Pre-existing nonconforming structures or uses may be changed, extended or altered by a special permit issued pursuant to the provisions of §198-1602 of this Zoning By-law, provided that no such change, extension or alteration shall be permitted unless there is also a finding by the Zoning Board of Appeals (ZBA) that such change, extension or alteration shall not be substantially more detrimental than the existing nonconforming structure or use to the neighborhood; . . . . .

301.1.4. Wherever a lawful nonconforming use has been abandoned, or has not been used, for 24 consecutive months or more, it shall not be resumed or reestablished, and all future uses shall conform to this Zoning By-law.

301.1.5. If a nonconforming structure is damaged or destroyed by natural causes or otherwise, then any rebuilding or restoration may take place as of right as long as the rebuilding or restoration conforms precisely in size, location, configuration and extent of use to that which existed prior to the damage or destruction.

301.1.6. The ZBA may, but shall not be obligated to, issue a special permit for any changes in size, location, configuration and extent of use in a nonconforming structure damaged or destroyed by natural

causes or otherwise, provided that the ZBA shall find that such changes shall not be substantially more detrimental to the neighborhood than the existing nonconforming use.

FINANCE COMMITTEE COMMENTS: It is the intention of the Planning Board that this Article would clarify the long-standing practice of the Wayland Zoning Board of Appeals ("ZBA"), and would bring the Zoning By-law into conformity with the Zoning statute.

It has been the practice of the ZBA to include in its interpretation of "damaged or destroyed" all activities that result in the damage or destruction of nonconforming structures, whether caused by nature or intentionally by man (for example, for the purpose of renovating, rebuilding etc.).

The Zoning statute includes "abandonment" and "structures" in its sections regulating nonconforming uses, so it is necessary to include "abandonment" and "structures" in the Zoning By-law.

Inclusion of the words "also" and "location" are meant to clarify the text; the term "configuration" is intended to include location, so adding the word clarifies this intent.

ARGUMENTS IN FAVOR: The proposed By-law changes are for the purpose of clarification and for eliminating confusion between the existing By-law language and the long-standing interpretation by the ZBA. The changes are not substantive in nature.

ARGUMENTS OPPOSED: Regardless of the interpretation of the ZBA, interpreting "configuration" to include "location" is not merely a clarification but is more restrictive.

Regardless of the interpretation of the ZBA, interpreting "damaged or destroyed" to include all causes makes the by-law less restrictive.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Two-thirds - see Massachusetts General Laws Chapter 40A, Section 5.

ARTICLE *46*: CHANGE THE ORDER OF THE ARTICLES FOR THE ZONING BY-LAW

Proposed by: Planning Board

To determine whether the Town will vote to amend the Code (Zoning By-law) of the Town of Wayland by changing the order of the articles and certain sections, to include moving existing §198-1601.1, Planning Board associate member in Article 16, Administration and Enforcement, to between existing §198-1605, Site plan approval, and existing §198-1606, Enforcement; by adding or changing the headings to certain articles and sections; by creating two articles from existing Article 16, Administration and Enforcement, as follows: Administration and Enforcement, and Site Plan Approval; creating five articles from the existing Article 15, Overlay Districts, as follows: Wireless Communications Services District, Aquifer Protection District, Floodplain and Watershed Protection Districts (consisting of existing 1501 Floodplain District, 1503 Federal Flood Protection District, and 1502 Watershed Protection District), Senior and Family Housing Overlay District, and Cochituate Interim Planning Overlay District; by including the Table of Permitted Uses by Districts, and the Table of Dimensional Requirements, as part of the existing Article 17, Tables; and renumbering all paragraphs as necessary; all as shown in the following Table of Contents (except for the article titles, relocated headings are underlined; new words are italicized and underlined):

TABLE OF CONTENTS

ARTICLE 1 General Provisions
§198-101. Purpose
§198-102. Applicability
§198-103. Severability
§198-104. Definitions
ARTICLE 2 Administration and Enforcement
§198-201. Zoning Board of Appeals
§198-202. Permit application
§198-203. Special permits; requirements and conditions
§198-204. Planning Board associate member
§198-205. Enforcement
ARTICLE 3 Establishment of Districts
§198-301. Designation
§198-302. Overlay districts
§198-303. Plans and maps
ARTICLE 4 Nonconforming *Structures and* Uses
§198-401. Continuance; conditions
ARTICLE 5 General Regulations
§198-501. Signs and exterior lighting
§198-502. Real estate signs
§198-503. Unregistered and ungaraged motor vehicle in Single Residence District
§198-504. Earth removal
ARTICLE 6 Site Plan Approval
§198-601. Application thresholds and criteria
§198-602. Relationship to other approvals
§198-603. Administering board
§198-604. Application procedure

§198-605. Application requirements
§198-606. Standards and criteria
§198-607. Reasons for disapproval
§198-608. Revisions and amendments to approved site plans
§198-609. Regulations and fees
ARTICLE 7 Area, Yard, and Bulk Regulations
§198-701. Height regulations
§198-702. Setbacks
§198-703. Yards
§198-704. Lot coverage
§198-705. Lot area and frontage
§198-706. Lots on more than one street
ARTICLE 8 Dimension and Use Tables
§198-801. Table of Dimensional Requirements
§198-802. Table of Permitted *Principal* Uses by Districts
§198-803. Classification of Principal Uses
§198-804. Table of Permitted Accessory Uses by Districts
§198-805. Classification of Accessory Uses
ARTICLE 9 Single Residence District
§198-901. Permitted uses
§198-902. Accessory uses and buildings
§198-903. Permits required by the Zoning Board of Appeals
ARTICLE 10 Roadside Business District
§198-1001. Permitted uses
§198-1002. Area, yard and bulk regulations; parking facilities; signs
ARTICLE 11 Business Districts
§198-1101. Establishment
§198-1102. Permitted uses in Business District A
§198-1103. Permitted uses in Business District B
§198-1104. *Height*, area, yard and bulk regulations
§198-1105. Off-street parking and loading requirements
§198-1106. Curbs and sidewalks
§198-1107. Outdoor displays
ARTICLE 12 Refuse Disposal District
§198-1201. Permitted uses
ARTICLE 13 Light Manufacturing District
§198-1301. Permitted uses
§198-1302. Sidewalks
ARTICLE 14 Limited Commercial District
§198-1401. Permitted uses
§198-1402. Special permit uses
§198-1403. Area, yard and bulk regulations
§198-1404. Limitations and development
§198-1405. Traffic impact
§198-1406. Physical attributes of the site
ARTICLE 15 Wireless Communications Services District
§198-1501. Purpose

§198-1502. Location
§198-1503. Use restrictions
§198-1504. Submittal requirements
§198-1505. Nonuse
§198-1506. Exemptions
ARTICLE 16 Aquifer Protection District
§198-1601. Purpose
§198-1603. Use restrictions applying to the Aquifer Protection District
§198-1604. Density restrictions applying to the Aquifer Protection District
§198-1605. Division of land parcels
§198-1606. Special permits within the Aquifer Protection District
ARTICLE 17 Floodplain, Federal Flood Protection, and Watershed Protection Districts
§198-1701. Floodplain District
§198-1702. Federal Flood Protection District
§198-1703. Watershed Protection District
ARTICLE 18 Conservation Cluster Development District
§198-1801. Purpose; special permit required
§198-1802. Site plan
§198-1803. *Public* hearing; general requirements
§198-1805. Decision
§198-1806. Common land
§198-1807. Duration of special permit
§198-1808. Amendments
ARTICLE 19 Planned Development District
§198-1901. Statutory authority; objectives
§198-1902. Definitions
§198-1903. Permitted uses
§198-1904. Standards
§198-1905. Special permit application
§198-1906. Review and action by the Planning Board and Board of Health
§198-1907. Review and action by the Zoning Board of Appeals
§198-1908. Permits for use and construction
§198-1909. Amendments
§198-1910. Abandonment
§198-1911. Use and maintenance of land
§198-1912. Dedication of property to public use
§198-1913. Rules and regulations
§198-1914. Enforcement; stop orders
§198-1915. Fees
ARTICLE 20 Southeast Wayland-Cochituate Planning District
§198-2001. Statutory authority; objectives
§198-2002. Definitions
§198-2003. Permitted uses
§198-2004. Standards
§198-2005. Special permit application
§198-2006. Review and action by the Planning Board
§198-2007. Permits for use and construction

§198-2008. Amendments
§198-2009. Abandonment
§198-2010. Rules and regulations
§198-2011. Enforcement; stop orders
§198-2012. Fees

ARTICLE 21 Senior and Family Housing Overlay District
§198-2101. Purpose
§198-2102. Applicability
§198-2103. Definitions
§198-2104. Use restrictions
§198-2105. Administration
§198-2106. Standards
§198-2107. Fees

ARTICLE 22 Cochituate Interim Planning Overlay District
§198-2201. Purpose
§198-2202. Applicability
§198-2203. Use restrictions
§198-2204. Exemptions
§198-2205. Special permit criteria
§198-2206. Decision
§198-2207. Time limitation

FINANCE COMMITTEE COMMENTS: This Article proposes to change the order of certain Zoning By-law articles and sections, add new headings and create five new articles (one for each Overlay District) from existing Article 15. Currently, Article 15 details all five of the Overlay Districts. Finally, the Table of Permitted Uses by District and the Table of Dimensional Requirements are incorporated into the Zoning By-law for reference purposes only. These tables are not incorporated in the present By-law.

ARGUMENTS IN FAVOR: The proposed changes are not substantive. The Zoning By-law that results will be more user friendly.

ARGUMENTS OPPOSED: Adding the dimensional and use tables, which are for reference only and are meant to reflect the prose, might be viewed as a substantive change.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Two-thirds - see Massachusetts General Laws Chapter 40A, Section 5.

ARTICLE 47: AMEND ZONING BY-LAW BY MOVING CERTAIN SECTIONS FROM ARTICLE 4, SINGLE RESIDENCE DISTRICT, TO ARTICLE 11, GENERAL REGULATIONS

Proposed by: Planning Board

To determine whether the Town will vote to amend the Code (Zoning By-law) of the Town of Wayland by deleting existing §198-401.1.9; by deleting existing §198-403, Storage of unregistered vehicles; violations and penalties; and by deleting existing §198-404.1.4, Earth Removal from existing Article 4, Single Residence District; and inserting three new sections at the end of existing Article 11, General Regulations; renumbering all paragraphs as necessary; all as follows (new words are underlined):

§198-1102. Real estate signs.

1102.1 Real estate signs <u>are permitted in all districts as of right, but shall refer</u> only to the premises or tract on which they are located and have an area not exceeding 6 square feet.

§198-1103. Unregistered and ungaraged motor vehicle in Single Residence District.

1103.1. Unless authorized by the Board of Selectmen, not more than one unregistered and ungaraged motor vehicle shall be placed or permitted to remain on any lot in a Single Residence District, and no unregistered and unsightly motor vehicle shall be placed or permitted to remain in the front yard of any such lot. Any person so placing a motor vehicle and, if placed or allowed to remain with his or her knowledge or consent, the owner or owners of the motor vehicle and of the lot shall each be punishable as specified in §198-1606.2. of this Zoning By-law.

§198-1104. Earth removal.

1104.1. The removal of sod, loam and gravel, stone or other earth materials from any premises in any district, including such removal to effect topographical changes, shall be allowed only if <u>a special permit from</u> the ZBA is obtained in accordance with the procedure provided in §198-1604., and only under such conditions as the ZBA may impose, with the following exceptions:

1104. 1. 1. Removal necessary for the construction or alteration of a building for which a permit has been issued, including the installation of walks, driveways and other appurtenances to said building, provided that the quantity of material to be removed as certified by a registered professional engineer or land surveyor, or the Town Surveyor, does not exceed that displaced by the building, walks, driveways and other appurtenances.

1104.1.2. Removal from Town-owned land and transfer between or among such parcels.

1104.2. Nothing contained in §198-1104.1. shall prevent the continued use of any land for the purpose for which it is used at the time §198-1104.1. takes effect or prevent the use of any land for farms, gardens, nurseries, cemeteries, parks, playgrounds and such purposes as are incidental to, or usual in connection with, any of said purposes.

1104.3. Before a special permit is issued, the applicant shall show to the satisfaction of the ZBA that the removal will not impair the usability of the area for the purposes permitted in this Zoning By-law, that the grades to be established within the area will permit vehicular access to the area and the continuation of streets from the abutting premises, and that the area may ultimately be developed compatibly with the neighboring land.

1104.4. The removal of sod, loam, sand, gravel or quarried stone from within a subdivision, the plan of which has been approved by the Planning Board and duly recorded in the Middlesex South District Registry of Deeds, shall be permitted as of right when and to the extent that such is necessary for the lawful construction or alteration of a way shown on said plan or for the lawful installation of utilities, drainpipes or drain structures in said subdivision, provided that the quantity of sod, loam, sand, gravel or quarried stone so removed shall not exceed that in place in the particular space to be occupied by such way, utilities, drainpipes or drain structures, and subject to any requirements made by the Planning Board endorsed or referred to on the plan of such subdivision.

FINANCE COMMITTEE COMMENTS: This Article amends the Zoning By-laws by moving sections regulating real estate signs, unregistered and ungaraged motor vehicles and earth removal from the Single Residence District and inserting these sections in Article 11, General Regulations. These sections are in the form of general regulations and apply to all districts within the Town.

ARGUMENTS IN FAVOR: Provides clarity to the Zoning By-laws by moving sections that are essentially "regulations" into the General Regulations Article.

ARGUMENTS OPPOSED: The Finance Committee is not aware of any.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Two-thirds - see Massachusetts General Laws Chapter 40A, Section 5.

ARTICLE *48*: AMEND ZONING BY-LAW BY CHANGING §§198-604.1.1. AND 1001.2. TO CLARIFY THE HEIGHT REQUIREMENT FOR BUSINESS DISTRICTS

Proposed by: Planning Board

To determine whether the Town will vote to amend Article 6, Business Districts, and Article 10, Area, Yard and Bulk Regulations of the Code (Zoning By-law) of the Town of Wayland by, in §198-604.1.1, adding the words "2 1/2 stories, not to exceed;" by deleting the reference in §198-604.1.1 to §198-1001.2; and by combining the reference to §198-1001.1.2, both in the second sentence, with the first sentence; and by deleting the words "Business and" from the heading and first sentence of §198-1001.2; all as follows (new words are underlined):

604.1. Height, area and yard requirements.

604.1.1. In both Business Districts A and B, the maximum height of buildings shall be 2 1/2 stories, not to exceed 35 feet, with the exception that §198.1001.1.2 shall apply.

1001.2. Light Manufacturing Districts.

1001.2.1 The limit of height in Light Manufacturing Districts shall be three stories, not to exceed 40 feet, with the exception that §198-1001.1.2 shall apply; ....

FINANCE COMMITTEE COMMENTS: Currently the Zoning By-law contradicts itself: in 1001.2.1 it states that the height limit in Business and Light Manufacturing Districts is 3 stories, not to exceed 40 feet; in 604.1.1 it says that the height limit for Business Districts A and B shall not exceed 35 feet; while in 502.1.3 (Roadside Business District) the height limit for non-residence structures "shall conform to the height... regulations for the residence districts . . . . . ."

Thus it is unclear whether the height limit for Business Districts A and B and for the Roadside Business District is "3 stories, not to exceed 40 feet", "not to exceed 35 feet" or "2.5 stories, not to exceed 35 feet." The intent of the Zoning By-law is that only structures in Light Manufacturing Districts be allowed a height limit of 3 stories, not to exceed 40 feet; all other districts are to be limited to 2.5 stories, not to exceed 35 feet. This article clarifies that intent.

ARGUMENTS IN FAVOR: This article clarifies an important requirement that has been contradictory. There is no structure in any business district that is currently 3 stories or 40 feet in height.

ARGUMENTS OPPOSED: This article potentially reduces the allowable height of future structures in business districts from 3 stories to 2.5 stories, and from 40 feet to 35 feet.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Two-thirds - see Massachusetts General Laws Chapter 40A, Section 5.

ARTICLE 49: AMEND ZONING BY-LAW BY ADDING RECYCLING TO ARTICLE 7, REFUSE DISPOSAL DISTRICT

Proposed by: Planning Board

To determine whether the Town will vote to amend existing Article 7, Refuse Disposal District, of the Code (Zoning By-law) of the Town of Wayland by adding recycling to existing §198-701.1.2, as follows (new wording is underlined):

701.1.2. The disposal of refuse, and the recycling of materials and sale of recycled materials, at such sanitary landfill areas as may have been designated by the Board of Health, all in accordance with its rules and regulations.

701.1.3. The removal of such vegetation, sod, loam, gravel, stone and/or other earth materials as may have been authorized, from time to time, by the Board of Health.

FINANCE COMMITTEE COMMENTS: The new wording specifies that recycling and sale of recycled material are permitted in the Refuse Disposal District.

ARGUMENTS IN FAVOR: This article brings the Zoning By-law into agreement with actual practice, eliminating confusion, conflict, and possible legal challenges.

ARGUMENTS OPPOSED: If it is not intended that recycling be an allowed use in this district, then adding it as a permitted use broadens the uses within the district.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Two-thirds - see Massachusetts General Laws Chapter 40A, Section 5.

ARTICLE 50: AMEND ZONING BY-LAW BY CHANGING THE SECOND SENTENCE OF §198-903.1.1.1.1 OF ARTICLE 9, LIMITED COMMERCIAL DISTRICT

Proposed by: Planning Board

To determine whether the Town will vote to amend existing Article 9, Limited Commercial District, of the Code (Zoning By-law) of the Town of Wayland by deleting the second sentence of existing §198-903.1.1.1.1, and replacing it with a new sentence reading, in pertinent part, as follows (new words are underlined):

903.1.1.1.1. The applicant shall submit a traffic impact assessment report containing such data and information as required by the approving authority. No new structure, group of structures, improvement, alteration, or change in use shall result in a level of service (LOS), as defined by criteria set forth by the Transportation Research Board of the National Research Council, determined to be inadequate within the impact area of the proposed activity.

FINANCE COMMITTEE COMMENTS: This Article states that no new structure, etc., will be permitted if the level of service, as defined and as it relates to the impact of traffic from the planned development, is determined to be inadequate. The amendment adds the word "determined" to the section and deletes the repetitive phrase "after reviewing the traffic impact assessment report." This modification adds a verb where one was obviously inadvertently missing and gives greater clarity to the section. However, by making this change it has the ability of impacting the development by Dow of the Dow property by up to 130,000 square feet. Dow is "grandfathered" under the existing zoning by-laws until March 2000. However, when Dow would try to renew its development permit in 2000, it would be subject to a re-hearing because the by-laws have been changed since the original granting of the permit. Since the original granting of the permit, the Town has conducted a study of traffic on route 30 and, prior to granting a permit extension, the traffic study would have to be updated. It is fairly apparent that the new study would conclude that if the Dow property were fully developed, the level of service in the route 30 area would not be acceptable. This would result in either the Dow development permit extension not being renewed or the size of the development limited to minimize the impact of new traffic.

ARGUMENTS IN FAVOR: The modifications add clarity to the Article by deleting a repetitive phrase and adding a verb that was inadvertently missing from the existing by-law. As it relates to the Dow property, if no development occurs prior to March 2000, then the change would prevent the Dow property from being developed as currently allowed. This would be seen as a benefit to controlling traffic and further deterioration of the level of service in the route 30 area.

ARGUMENTS OPPOSED: The potential tax revenue from the Dow property development would not be realized if there is no development or it would be greatly reduced if the development is scaled back.

RECOMMENDATION: The Finance Committee recommends approval. Vote:

QUANTUM OF VOTE: Two-thirds - see Massachusetts General Laws Chapter 40A, Section 5.

ARTICLE *51*: AMEND ZONING BY-LAW BY CHANGING §198-1002.1. OF ARTICLE 10, AREA, YARD AND BULK REGULATIONS

Proposed by: Planning Board

To determine whether the Town will vote to amend existing Article 10, Area, Yard and Bulk Regulations, of the Code (Zoning By-law) of the Town of Wayland by adding to, and replacing words of, existing §198-1002.1, all as follows (new words are underlined):

1002.1. No building or structure in any residence district shall extend within 55 feet of the center line of any public or private street right-of-way, or within 30 feet of the lot line of any street, whether accepted or not, whichever distance is greater, except as provided in §198-1002.2 and 1002.3. below; except that any existing lot shown on a plan, or described in a deed, recorded in the Registry of Deeds that conformed, or was considered to conform, to the area and frontage requirements on, but not after, January 28, 1998, shall be considered to conform to this Zoning By-law; and any existing structure that was in compliance with regulations respecting location on, but not after, January 28, 1998, shall be considered to be in compliance with this Zoning By-law.

FINANCE COMMITTEE COMMENTS: This article attempts to clarify legal interpretation by replacing the word "street" with reference to "right of way". The meaning of the word "street" is open to interpretation. To some it means the legal right of way, to others it means the pavement located within the right of way. While the legal right of way is relatively fixed, with boundaries that coincide with the boundary line of lots, the location and edges of street pavement within the right of way can, and do, vary. Legally, the courts have supported the interpretation that "street" as used in zoning by-laws must refer to the fixed right of way and not to pavement. To avoid creating problems with existing situations created by the use of pavement rather than the right of way, this article also "grandfathers" all such situations as of January 28, 1998, which is the day before the advertisement for the public hearing on this article appeared in the newspaper (the zoning statute sets the date of this advertisement as the cutoff for applications for building permits and special permits).

ARGUMENTS IN FAVOR: This article clarifies an important term that has been open to interpretation, bringing it into conformance with legal interpretations, while protecting existing situations by "grandfathering" them.

ARGUMENTS OPPOSED: The Finance Committee is not aware of any.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Two-thirds - see Massachusetts General Laws Chapter 40A, Section 5.

ARTICLE *52*: AMEND ZONING BY-LAW, §198-1505, WIRELESS COMMUNICATIONS SERVICES DISTRICT

Proposed by: Planning Board

To determine whether the Town will vote to amend existing Article 15, Overlay Districts, of the Code (Zoning By-law) of the Town of Wayland by using the word "facilities" instead of the word "towers;" and by adding the following new paragraph to existing §198-1505, Wireless Communications Services District:

1505.6.1. The following types of wireless communications facilities are exempt from this Article 15:

1505.6.1.4. Wireless communications facilities exempted by this paragraph are permitted in all zoning districts. Wireless communications facilities that are located entirely within steeples, bell towers, spires, cupolas, or other ornamental features of buildings used for religious, educational, or municipal purposes are exempt from this §198-1505, provided, however, that:

1505.6.1.4.1. The visibility of such facility shall be minimized;

1505.6.1.4.2. The exterior features of such steeples, bell towers, spires, or cupolas shall not be altered or added to for the purpose of accommodating such facilities; and

1505.6.1.4.3. The applicant has obtained site plan approval under §198-1605 of this Zoning By-law.

FINANCE COMMITTEE COMMENTS: This by-law change will allow wireless communication companies to site towers or antennas within existing steeples, bell towers, spires, cupolas or similar ornamental features.

ARGUMENTS IN FAVOR: The near total enclosure of wireless towers or antennas in existing steeples, bell towers, etc., is a creative and aesthetically neutral answer to the federal statute that requires the Town to provide adequate sites for wireless communication. Additionally, the Town (and churches) would benefit financially from lease arrangements with wireless companies

ARGUMENTS OPPOSED: The by-law change would allow wireless communication equipment in additional residential locations besides sites included in the existing wireless overlay district. Some believe that it is not fair to the taxpayers that tax exempt properties (i.e., religious and educational entities) be given the opportunity to enter into profitable lease arrangements with wireless companies. Notwithstanding the National Institute of Health approval, some question whether radio emission exposure from towers or antennas poses a health risk and therefore should not be located in residential areas. Finally, the phrase "minimally visible" (proposed section 1505.6.1.4.1) is inexact and open to interpretation.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Two-thirds - see Massachusetts General Laws Chapter 40A, Section 5.

ARTICLE 53: AMEND ZONING BY-LAW BY DELETING §198-1602.1.1. FROM ARTICLE 16, ADMINISTRATION AND ENFORCEMENT

Proposed by: Planning Board

To determine whether the Town will vote to amend existing Article 16, Administration and Enforcement, of the Code (Zoning By-law) of the Town of Wayland by deleting existing §198-1602.1.1., and renumbering paragraphs as necessary.

FINANCE COMMITTEE COMMENTS: The State zoning statute forms the foundation and guiding law for the local zoning by-laws and specifically defines "variances" and the findings, conditions and procedures for granting them. Local zoning by-laws cannot create variances that do not comply with the zoning statute. Currently, section 198-1602.1.1. is in conflict with the zoning statute as it allows the Zoning Board of Appeals to adapt the requirements of the Zoning By-laws to either irregular, narrow or shallow lots, or those unusual either in shape or topography, provided that the spirit and intent of the Zoning By-laws with regard to open spaces is preserved.

ARGUMENTS IN FAVOR: Deleting this provision and relying solely on the zoning statute variance provision will ensure that the Town does not use an illegal provision, thus exposing itself to legal action. Also, deleting this provision will eliminate confusion and conflicts caused by two variance provisions.

ARGUMENTS OPPOSED: The existing variance provision is broader than the statutory provision, thus allowing more flexibility in granting variances from the Zoning By-law. Deleting this section will create a more stringent use of variances.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Two-thirds - see Massachusetts General Laws Chapter 40A, Section 5.

ARTICLE 54: AMEND ZONING BY-LAW BY CHANGING THE THIRD, FOURTH, AND FIFTH SENTENCES OF, AND ADDING A HEADING TO, §198-1604 OF ARTICLE 16, ADMINISTRATION AND ENFORCEMENT

Proposed by: Planning Board

To determine whether the Town will vote to amend existing Article 16, Administration and Enforcement, of the Code (Zoning By-law) of the Town of Wayland by adding a heading to existing §198-1604; and by deleting the last three sentences of existing §198-1604 and replacing and numbering them; all, in pertinent part, as follows (new words are underlined):

§198-1604. Special permits: requirements and conditions.

1604.2. Special permits shall be granted only upon a written determination that the adverse effects of the proposed use will not outweigh its beneficial impacts to the town or the neighborhood, in view of the particular characteristics of the site, and of the proposal in relation to that site. In addition to any specific factors that may be set forth in this Zoning By-law, the determination shall include consideration of each of the following:

1604.2.1. The public interest, and public health or safety, to include the impacts of noise, vibration, smoke, gas, fumes, odor, dust or other objectionable features that may be injurious to the inhabitants or their property.

1604.2.2. Social, economic, or community needs that are served by the proposal;

1604.2.3. Traffic flow and safety, including parking and loading.

1604.2.4. Adequacy of utilities and other public services;

1604.2.5. Neighborhood character;

1604.2.6. Impacts on the natural environment; and

1604.2.7. Potential fiscal impact, including impact on Town services, tax base and employment.

1604.3. Special permits may be granted with such reasonable conditions, safeguards, or limitations on time or use as the SPGA may deem necessary to serve the purposes of this Zoning By-law. Special permits shall lapse 24 months following final action (plus such time required to pursue or await the determination of an appeal referred to in Massachusetts General Laws Chapter 40A, section 17, from the grant thereof) if a substantial use thereof has not commenced, nor construction begun, except for good cause.

FINANCE COMMITTEE COMMENTS: This Article replaces the broad guidelines with more specific guidelines as recommended by legal counsel. Guidelines or standards used to grant special permits in zoning by-laws must, by both statutory and case law, be relatively specific in order to avoid legal claims that they are arbitrary and capricious. However, such guidelines cannot be so specific that they eliminate flexibility and the application of judgment on the part of the special permit granting authority ("SPGA").

ARGUMENTS IN FAVOR: The current special permit guidelines in the Zoning By-law are broad and open-ended. They provide little guidance and allow the SPGA too much discretion in granting special permits. It is the opinion of the planning board that under the current guidelines, the SPGA could potentially both deny and approve applications that are similar.

Specific guidelines make it easier for both the SPGA and applicants to comply with the law. They eliminate or at least reduce the possibility that an SPGA can approve one application at one time and then disapprove the same or very similar application at a later time.

ARGUMENTS OPPOSED: The Zoning By-law currently uses the guidelines in this section for special permits as well as for permits. Where special permits are relatively discretionary in nature, permits are generally considered a right which is routinely granted upon completion of a technical review. It can be argued that the guidelines for permits and special permits should be different, since permits and special permits are substantially different. One opposing argument is that these guidelines should not be adopted until a thorough analysis of permits versus special permits is completed, and the appropriate level of guidelines for each is determined.

RECOMMENDATION: The Finance Committee recommends against approval. Vote: Unanimous.

QUANTUM OF VOTE: Two-thirds - see Massachusetts General Laws Chapter 40A, Section 5.

ARTICLE 55: AMEND ZONING BY-LAW BY CHANGING ARTICLE 17, TABLES, AND THE TABLE OF PERMITTED USES BY DISTRICTS

Proposed by: Planning Board

To determine whether the Town will vote to amend the Code (Zoning By-law) of the Town of Wayland by including the Table of Permitted Uses by Districts as part of existing Article 17, Tables; and by amending existing Article 17, Tables, and the Table of Permitted Uses by Districts, all as follows (new words are underlined):

§198-1702. Table of Permitted Principal Uses by Districts.

1702.1. The Table of Permitted Principal Uses by Districts sets forth the permitted principal uses of land, buildings, and structures in each zoning district as set forth in the various provisions of this Zoning By-law for uses commencing on or after June 1, 1982. No building, structure, or land shall be used or occupied, except for the purposes permitted in the district in the Table of Permitted Principal Uses of this article applicable thereto, except accessory uses permitted pursuant to §198-1704, and non-conforming uses as provided in Article 3 of this Zoning By-law. It is the intent of this Zoning By-law to prohibit in any district any use which is not specifically permitted, as well as any use which is denoted by the word "no" in the Table of Permitted Principal Uses or the Table of Permitted Accessory Uses.

1702.1.1. A use listed in the Table of Permitted Principal Uses is permitted as of right in any district under which it is denoted by the word "yes." Uses designated by the letters "SP" may be allowed only if the Zoning Board of Appeals (ZBA) issues a special permit pursuant to §198-203. Uses designated by the letters "P-ZBA" may be allowed only if the ZBA issues a permit pursuant to §198-203. Uses denoted by the word "no" shall be prohibited.

1702.1.2. Site plan approval is required in accordance with Article 6 for a use where the letter "R" appears, and is not required where the letters "NR" appear.

1702.1.3. Uses designated by the letters "TAU" are not permitted as principal uses, but are permitted as accessory uses pursuant to §198-1704.

1702.1.4. All uses set forth in this Table of Principal Uses by Districts shall, in addition, conform to all other requirements contained in this Zoning By-law; and, in the event of a conflict between this Table of Permitted Principal Uses by Districts and any other provisions of this Zoning By-law, such other provisions shall apply.

§198-1703. Classification of Principal Uses.

1703.1. Business Uses.

AUTO SALES, SERVICE, REPAIR -- See §1102.1.6. of this Zoning By-law.

BANK.

BOAT OR CANOE LIVERY.

CUSTOMARY HOME OCCUPATION -- A customary home occupation, such as dressmaking, millinery, the letting of rooms, or sale of antiques.

FUNERAL HOME.

MEDICAL/DENTAL CENTER (CLINIC).

MOTOR VEHICLE SERVICE/GASOLINE -- See §1102.1.9. of this Zoning By-law.

OFFICE -- A business or professional office; a medical office or outpatient clinic, including laboratories incidental thereto.

PARKING FACILITY -- Garages for 4 or more vehicles

PERSONAL & OTHER SERVICE -- Establishments providing services involving the care of a person or his or her apparel, or establishments providing services to the general public, or to other business establishments; repair shop for household or office items.

RESTAURANT -- See §1102.1.3. of this Zoning By-law.

RETAIL STORE -- Store, showroom, or salesroom for the sale, preparation, and display of merchandise; garden centers, florists, or commercial greenhouses may have open air display of horticultural products.

ROADSIDE STAND -- Farm stands for the sale of produce.

STABLES WITH HORSES FOR HIRE.

TRADE SHOP -- Shops used by practitioners of the building trades.

1703.2. General Uses.

AGRICULTURE -- Cultivating, harvesting, and storing crops, including the storage of necessary farm equipment; provided that greenhouse heating plants, and any building in which farm or pleasure animals are kept, shall be distant not less then 20 feet from any lot line.

CEMETERY -- Cemeteries, including any crematory therein.

CONSERVATION -- The use of land in its natural state, or improved with trails and resource management programs that do not significantly alter its natural state.

EARTH REMOVAL -- See §198-504 of this Zoning By-law.

KENNEL -- See the Table of Permitted Accessory Uses by Districts.

MEMBERSHIP CLUB -- Membership clubs and non-government recreational facilities devoted to outdoor sports, recreational, or social activities, including buildings and premises; except when the chief activity is customarily carried on as a gainful business.

RECREATION/PARK -- Parks, water supply reservations, and soldier and sailor memorial buildings; recreational facility owned or operated by the Town.

1703.3. Government, Institutional and Public Service Uses.

BUS TERMINAL.

EDUCATIONAL -- Educational uses exempted from use regulations by the Zoning Act (MGL c. 40A, §3).

HOSPITAL -- Licensed sanitariums or hospitals.

LOW INCOME ELDERLY HOUSING -- See §901.1.7.3. of this Zoning By-law.

MULTIFAMILY UNIT/LOW INCOME -- See §901.1.7.4. of this Zoning By-law.

MUSEUM/LIBRARY -- Museum/library open to the public, or connected with a permitted educational use, and not conducted as a private gainful business.

NURSERY SCHOOL/DAY CARE - Nursery school, day care centers, and other facilities that receive children of school or preschool age for temporary custody, with or without stated educational purposes, during all or part of the day.

NURSING HOME --Nursing home for the care of the sick or aged, provided that no building shall be within 30 feet of any lot line.

PUBLIC OR CHARITABLE INSTITUTION -- Public or charitable institution not of a correctional nature, provided that no building shall be within 30 feet of any lot line.

RAILROAD STATION/RAILROAD RIGHT-OF-WAY -- Railroad passenger stations or rights-of-way, including customary services therein, but not including switching, storage, or freight yards or sidings.

RELIGIOUS -- Places of worship and other religious uses exempted from use regulations by the Zoning Act (MGL c. 40A, §3).

STUDIO -- Art, music, dance and similar schools.

TOWN USE -- Town of Wayland facility.

UTILITY FACILITY -- Building housing facilities for communications or other utility uses.

1703.4. Industrial Uses.

CONSTRUCTION YARD -- Lumber, fuel, feed, ice establishment, or contractor's yard.

HEAVY VEHICLE REPAIR GARAGE.

LIGHT MANUFACTURING -- Light manufacturing employing electricity and/or other unobjectionable motive power, utilizing hand labor, and/or unobjectionable machinery and/or processes, and free from neighborhood-disturbing odors, or other such neighborhood-disturbing characteristics.

LUMBER YARD

RESEARCH LAB -- See §§901.1. and 902.1.1. of this Zoning By-law.

WAREHOUSE/DISTRIBUTION.

1703.5. Prohibited Uses.

AIRCRAFT LANDING AND TAKING OFF.

ALL USES NOT SPECIFICALLY PERMITTED BY THIS ZONING BY-LAW.

1703.6. Residential Uses.

ACCESSORY DWELLING UNIT.

BOARDING HOUSE.

CONSERVATION CLUSTER -- See Article 12 of this Zoning By-law.

DWELLING, SINGLE FAMILY -- A dwelling for not more than one housekeeping unit.

LETTING OF ROOMS -- See "customary home occupation" in the Table of Permitted Accessory Uses by Districts.

MULTIFAMILY DWELLING.

§198-1704. Table of Permitted Accessory Uses by Districts.

1704.1. The Table of Permitted Accessory Uses by Districts sets forth the permitted accessory uses of land, buildings, and structures in each zoning district as set forth in the various provisions of this Zoning By-law for uses commencing on or after June 1, 1982. A use listed in said table is permitted as of right in any district under which it is denoted by the word "yes." Uses designated by the letters "SP" may be allowed only if a special permit is issued pursuant to §198-203. Uses designated by the letters "P-ZBA" may be allowed only if a permit is issued pursuant to §198-203. Site plan approval is required in accordance with Article 6 for a use where the letter "R" appears, and is not required where the letters

"NR" appear. Uses denoted by the word "no" shall be prohibited. All uses set forth in this table shall conform to all other requirements contained in this Zoning Bylaw, and in the event of a conflict between this Table of Permitted Accessory Uses by Districts and any other provisions of this Zoning Bylaw, such other provisions shall apply.

§198-1705. Classification of Accessory Uses.

1705.1. Residential Accessory Uses.

1705.1.1. In residential districts the term "accessory use" shall not include any activity conducted for gain; nor any walkway or driveway giving access thereto; nor any billboard advertising sign or poster, except for small bulletin boards.

ACCESSORY DWELLING UNIT -- See §901.1.5 of this Zoning By-law.

ACCESSORY DWELLING UNIT-WHA -- See §901.1.6 of this Zoning By-law.

ACCESSORY USE -- Accessory use customary with, and incident to, any permitted use and located on the same lot, including garage for three cars or less, carport, non-commercial greenhouse, tool shed, barn, swimming pool, tennis court.

CUSTOMARY HOME OCCUPATION - Customary home occupation as defined in the Table of Permitted Principal Uses by Districts, provided that there is no display or advertising visible from the outside, except for an announcement card or sign of not more than two square feet in area; no dwelling so used shall be reconstructed or enlarged unless specifically permitted by a special permit under the provisions of §198-203.

FAMILY DAY CARE.

IN-HOME OFFICE - See §901.1.4 of this Zoning By-law.

KENNEL, LESS THAN THREE DOGS -- The maintenance of dogs and suitable shelters therefor, provided that the number of dogs six months and older shall be three or less; any kennel or other structure used by dogs shall be no closer than 20 feet to any lot line, and no closer than 50 feet to any existing dwelling located beyond any lot line.

KENNEL, MORE THAN FOUR DOGS -- The maintenance of dogs and suitable shelters therefor for four or more dogs six months and older, provided that a special permit is granted to the current owner of the premises in accordance with §198-203; any kennel or other structure used by dogs shall be no closer than 20 feet to any lot line, and no closer than 50 feet to any existing dwelling located beyond any lot line.

LETTING/RENTING OF ROOMS - See "customary home occupation" above.

OFFICE -- Office as defined in the Table of Principal Uses provided that there is no display of advertising, except for a small professional nameplate.

RESIDENCE IN ACCESSORY DWELLING -- No accessory building shall be occupied for residence purposes, except as otherwise provided herein; and except that an employee of the owner or tenant of the premises may occupy the upper floor of a garage or stable.

ROADSIDE STAND -- For yearly terms only, a roadside stand for the sale of produce of the land of the owner, and of other land within the Town, provided that the front yard regulations are complied with.

TRADE SHOP -- See Table of Permitted Principal Uses by Districts for definition; a trade shop may be located in an accessory building on residential premises on the condition that no manufacturing or business requiring substantially continuous employment shall be carried on therein.

1705.2. Accessory uses permitted in the Limited Commercial District.

CAFETERIAS, BANKS, DAY CARE OR RECREATIONAL FACILITIES FOR EMPLOYEES.

FINANCE COMMITTEE COMMENTS: This Article proposes to add the Table of Permitted Uses by District to Article 17 of the Zoning By-law. It would be added for reference only. At next year's Town Meeting, the Planning Board will propose that the table, and not the text, prevail when there is conflict. To simplify, the table has been reordered into two parts: one for permitted uses and one for permitted accessory uses. Where the text and the table conflicted, the table has been corrected to reflect the text.

ARGUMENTS IN FAVOR: The proposed changes are meant to simplify and clarify the Zoning By-laws. If passed at next year's Town Meeting the tables will prevail. The Zoning By-law that results will be easier to use and apply.

ARGUMENTS OPPOSED: Correcting conflicts between the table and the text might be construed as substantive change. Some might question the necessity of adding the Tables to the By-law.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Two-thirds - see Massachusetts General Laws Chapter 40A, Section 5.

ARTICLE 56: AMEND ZONING BY-LAW BY CHANGING THE TABLE OF DIMENSIONAL REQUIREMENTS TO AGREE WITH THE TEXT OF THE ZONING BY-LAW

Proposed by: Planning Board

To determine whether the Town will vote to amend the Table of Dimensional Requirements of the Code (Zoning By-law) of the Town of Wayland by including said table as part of existing Article 17, Tables; by making said table agree with the text of the Zoning By-law; and by adding the districts not appearing in the table, namely: Southeast Wayland-Cochituate Planning District, Senior and Family Housing Overlay District, Cochituate Interim Planning Overlay District, Wireless Communications Services District, Aquifer Protection District, Floodplain District, Federal Floodplain District, and Watershed Protection District; all as shown on the following Table of Dimensional Requirements (new words are underlined).

FINANCE COMMITTEE COMMENTS: This Article includes the Table of Dimensional Requirements as an Article, which in the past was technically not part of the by-laws, but merely referenced. In addition, it makes minor changes to bring it into agreement with the actual text of the Zoning By-laws and it adds references to certain districts that are currently not cited.

ARGUMENTS IN FAVOR: The amendment eliminates omissions from the table, makes the changes to agree with the by-law, and formally includes the Table as an Article. These changes will add clarity to the Zoning By-laws by allowing the users to use the Table as an easy, organized reference versus searching through text.

ARGUMENTS OPPOSED: Although the Planning Board has taken care in developing and making the changes to the Table so the Table is synchronized with the text in the Zoning By-laws, there may be undiscovered conflicts which may cause confusion and conflicts in the use of the Zoning By-laws.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Two-thirds - see Massachusetts General Laws Chapter 40A, Section 5.

ARTICLE 57: ACQUIRE LAND AT THE END OF MAIDEN LANE AND PRISCILLA PATH

Proposed by: Board of Selectmen *Estimated Cost: $100.00*

To determine whether the Town will vote to authorize the Board of Selectmen, with the approval of Town Counsel as to form, to acquire by purchase, eminent domain, gift or otherwise, for highway, recreation, conservation or other municipal purposes, the fee or any lesser interest in all or any part of the land located between the ends of Maiden Lane and Priscilla Path and Dudley Pond shown as TOWN OF WAYLAND TAKING 20' WIDE on a plan entitled "Plan of Parts of Algonquin Path, Park Lane, & Maiden Lane in Wayland, Mass." Scale 1" = 50', dated October 21, 1958, by Everett M. Brooks Co., Civil Engineers, recorded with the Middlesex South Registry of Deeds as Plan No. 656 of 1960 in Book 9588, Page 429, a copy of which plan is on file in the Office of the Town Clerk; to determine whether the Town will vote to appropriate a sum of money to be expended by the Board of Selectmen for the acquisition of said land or interest therein; and to determine whether such appropriation shall be provided by taxation, transfer from unappropriated funds, by transfer from funds already appropriated for another purpose, by borrowing or otherwise.

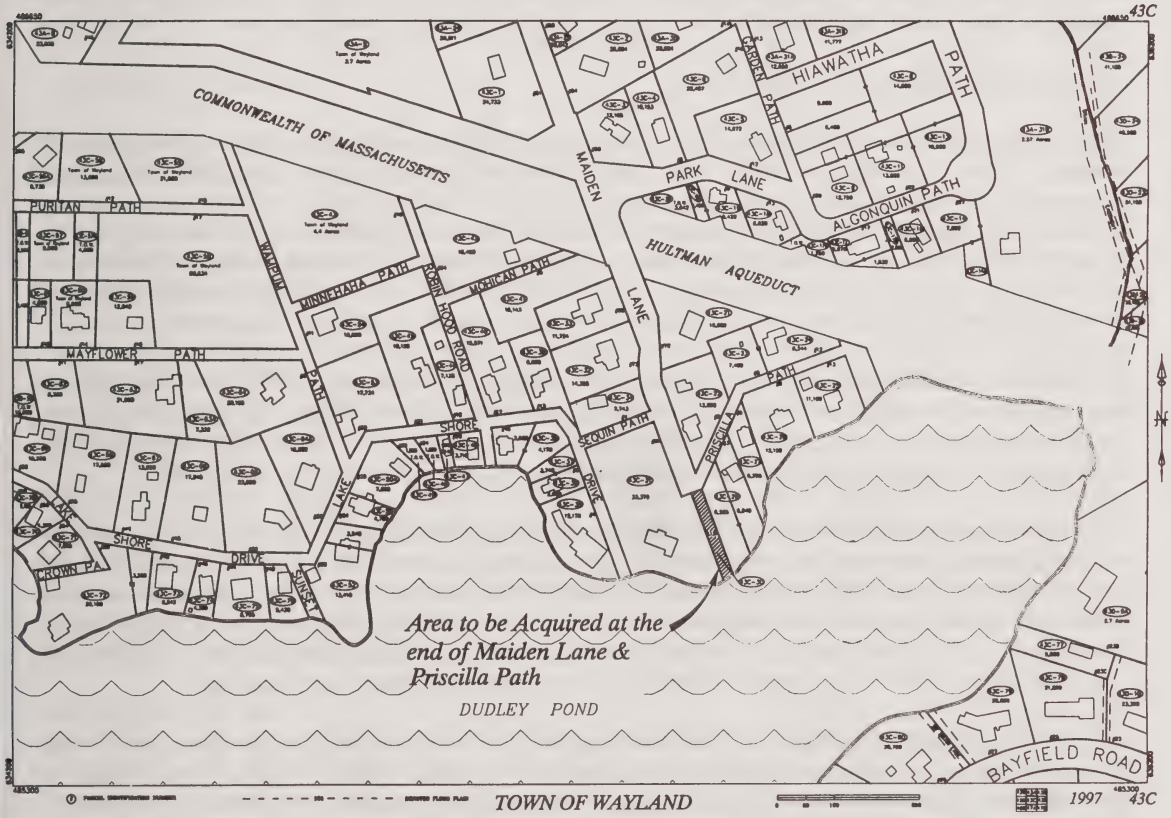
FINANCE COMMITTEE COMMENTS: From time to time the Town discovers that it needs to correct right-of-way issues. In some cases rights of way have been established without the taking of the land having taken place subsequent to the action. In this case there is a twenty-foot-wide corridor between the end of Maiden Lane and Dudley Pond. A plan dated October 21, 1958 shows this corridor as a right-of- way for municipal purposes (presumably for drainage). It has come to the Town's attention that the Town has never formally established it as a right-of-way. This can be established by taking a ten foot right-of-way from each of the two abutters.

ARGUMENTS IN FAVOR: This taking corrects an existing problem where the Town has an established right-of-way but had not gone through the actual taking of the land. This needs to be done to properly establish the Town's right of way.

ARGUMENTS OPPOSED: The Finance Committee knows of none. This simply completes an action already taken by the Town.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Two-thirds - see Massachusetts General Laws Chapter 40, Section 14 and Chapter 44, Section 7.



Area to be Acquired at the end of Maiden Lane & Priscilla Path

ARTICLE *58*: MANAGEMENT ACTIVITIES AT THE GREENWAYS CONSERVATION AREA

Proposed by: Conservation Commission *Estimated Cost: $22,500.00*

To determine whether the Town will vote to appropriate a sum of money to be expended by the Conservation Commission to provide for necessary management activities on the Town-owned land acquired from the Trustees of the Paine Estate under Article 10 of the 1994 Annual Town Meeting and Article 17 of the 1995 Annual Town Meeting; to determine whether such money shall be provided by taxation, by appropriation from available funds, by transfer of funds already appropriated for another purpose, by borrowing or otherwise; and to authorize the Conservation Commission on behalf of the Town to apply or contract for and accept any State or Federal aid or aid from any other public or private sources to carry out the purposes of this Article.

CONSERVATION COMMITTEE COMMENTS:

Under Article 19 of the 1996 Annual Town Meeting $33,000 was appropriated for various activities relating to the Paine land, including management activities by the Conservation Commission (e.g., construction of a parking lot on parcel C, construction of a canoe-landing facility, and professional services for the development of a management plan for the land) and for various activities under the control of the Board of Selectmen (e.g., utilities, maintenance, and legal and consulting services in connection with the sale of parcels F and G for development). The $33,000 proved to be inadequate, and the following activities and expenditures remain to be completed, using funds appropriated under the present article.

1. The canoe landing has been planned but not constructed. The estimate in 1995 was based on the assumption that existing Town employees and equipment would be used, along with volunteers. It now seems prudent to assume that the work will be contracted. If so, the cost could be as much as $17,500. That amount is requested, and it is hoped that a substantial fraction thereof will not be expended.

2. No new parking lot has been constructed because the existing Paine-family parking lot on parcel F has served adequately as a temporary substitute. It was expected that a new road and parking lot would be needed on parcel C during the development of parcels F & G, but that will not be necessary because the developers of parcels F & G have arranged for temporary parking off-site. A permanent 20-car parking lot is required by the Department of Environmental Management as specifically described in the Parking and Trail Easement. This will be on parcel D, and $5,000 should be appropriated for this project.

FINANCE COMMITTEE COMMENTS: 1) Canoe Landing: In order to obtain any State funding, the Town is obliged to make the canoe landing handicap-accessible. Due to the terrain of the anticipated site, the project is more complex than was originally thought. It is anticipated that this project will be completed in late summer or early autumn.

2) Parking Lot: The Department of Environmental Management requires that there be a year-round parking lot for visitors who wish to use the trails. This is a condition for receiving funding.

ARGUMENTS IN FAVOR: The Town received $500,000 from the Massachusetts Executive Office of Environmental Affairs toward the acquisition of parcels D and E in the form of Self-Help and Land & Water Conservation funds. The Massachusetts Department of Environmental Management paid $225,000

for a trail, access and parking lot Easement. The receipt of this funding was contingent upon a commitment that the Town would construct a handicap-accessible canoe landing and a 20-car parking lot for trail users. The construction appropriation is a small amount compared with the funds received toward the acquisition.

ARGUMENTS OPPOSED: Outside of the cost of the projects, the Finance Committee is not aware of any opposition.

RECOMMENDATION: The Finance Committee recommends approval. Vote: 6 for, 1 against.

QUANTUM OF VOTE: Majority - see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds - see Chapter 44, Section 7.

ARTICLE 59: AMEND §36-3 OF THE GENERAL BY-LAWS OF THE TOWN OF WAYLAND

Proposed by: Petitioners

To determine whether the Town will vote to amend §36-3 of its General By-Laws (1997 ed.) by adding thereto the following new paragraphs:

(a) "However, after an article for insertion in the warrant has been duly presented to the Board of Selectmen by registered voters in accordance with law, said article may be amended or withdrawn by registered voters after the warrant closing date."

(b) "Town counsel shall be accessible to registered voters for consultation on presenting articles for insertion in the warrant or on making motions or amendments from the floor of town meeting. Town counsel shall be available for consultation at reasonable times in accordance with guidelines promulgated by the Board of Selectmen."

FINANCE COMMITTEE COMMENTS: Articles may be submitted by petition for Town Meeting consideration. It requires the signature of 10 registered voters for an Annual Town Meeting article or 100 registered voter signatures for a Special Town Meeting article. Currently there is no available access to Town Counsel as to how to prepare an article for insertion in the warrant or on how to make motions or on the legalities of specific motions or amendments. In addition, a petitioners' article cannot be amended or removed from the warrant prior to Town Meeting as is allowed for Town boards.

ARGUMENTS IN FAVOR:

(a) Town boards are allowed to amend or withdraw articles after they have been submitted to the Selectmen for insertion in the warrant. On the other hand, the only way for a petitioner article to be amended or removed is to amend it or pass over it on the Town Meeting floor. If the petitioners wish to do this it wastes time and costs the town money in having the articles printed in the warrant. With the increasing number of articles at recent Town Meetings, anything that can be done to speed the process up should be done.

(b) Town boards and officials have access to Town Counsel in preparing and presenting articles. This speeds up the process on the floor of Town Meeting and ensures that articles are legally correct. In order to further speed up the process and to ensure that petitioners' articles are properly prepared and do not cause additional problems, they should also have access to Town Counsel. If petitioners come

into Town Meeting with a deficient article, it is a waste of time, and in many cases creates the need for additional articles to correct problems.

ARGUMENTS OPPOSED:

(a) A process already exists for the amending of or passing over an article at Town Meeting. In addition, petitioner articles many times have many more interested parties than those that actually sign the petition. If an article is withdrawn or amended before Town Meeting, there could be many residents who never have an opportunity to debate or discuss the issue.

(b) The Town Counsel role is in advising the various town officials on what is in the best interest of the Town. This does not necessarily extend to individuals within the Town. There could arise a problem in that an article may not be in the best interests of the Town and the Town Counsel is put in an awkward position of advising on the issue. If issues have been discussed in executive session a potential conflict of interest could arise. In addition, the Town already spends considerable tax dollars on Town Counsel and allowing further access would only increase those costs and take time away from other Town business.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority - see Massachusetts General Laws Chapter 40, Section 21.

ARTICLE *60*: ACCEPT GIFTS OF LAND

Proposed by: Board of Selectmen

To determine whether the Town will vote to accept real property or interests in real property which have been tendered to it as a gift, bequest, devise or otherwise.

FINANCE COMMITTEE COMMENTS: This standard article allows the Town to accept gifts of land.

ARGUMENTS IN FAVOR: Acquisition of land by the Town gives the Town more control over the use of such land.

ARGUMENTS OPPOSED: Land given to the Town may result in a slight loss of taxable real estate.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority.

ARTICLE *61*: SELL OR TRADE VEHICLES AND EQUIPMENT

Proposed by: Board of Selectmen

To determine whether the Town will vote to authorize the Board of Selectmen to sell or otherwise dispose of certain surplus vehicles, equipment, or other personal property in connection with the purchase of new vehicles, equipment or otherwise.

ARTICLE 2: AMEND SECTION 198-1505 OF THE CODE (ZONING BY-LAW) OF TOWN OF WAYLAND

Proposed by: Petitioners

To determine whether the Town will vote to amend Section 198-1505 of the Code (Zoning By-Law Town of Wayland by adding a new subsection, next in numerical order, thereto, all as follows:

1505.X Wireless Communications Facilities Moratorium

Notwithstanding any other provision in this Zoning By-Law, a moratorium shall be established temp suspending the authority of every officer, agency, board, or instrumentality of the Town to appro sale or lease or issue any permit, special permit, site plan approval, or other approval relating wireless communications facility or installation, except as set forth below. This suspension shall b period of not longer than twelve (12) months beginning from the end of the Special Town Meeti acts favorably, in whole or in part, on the provisions of this subsection.

During this 12 month moratorium period, the Planning Board shall study and give appr consideration to the location and impacts of wireless communications facilities on inhabitants of the and to the overall coordination of the various provisions presently in Section 198-1505 with res both the short and long range future. As part of its study, the Planning Board shall solicit, recei consider proposals and recommendations from other town boards and interested citizens with res suitable improvements and amendments to Section 198-1505 of the Zoning By-Law. Furthermo Planning Board shall hold two (2) or more formal hearings to gather public input.

At the conclusion of its study, the Planning Board shall vote approval, approval with amendm disapproval of such proposal(s) as come before it as proposed Articles for consideration by the vote Annual or Special Town Meeting (as provided for herein) and, in accordance with applicable lav submit such Articles and recommendations and reports concerning such Articles for presentation aforesaid Town Meeting. Said Annual or Special Town Meeting shall begin not earlier than six (6) after the end of the Special Town Meeting that acts favorably, in whole or in part, on the provisions section.

The moratorium provided for herein shall expire at the end of said Annual or Special Town Meet thereafter installation of wireless communications facilities shall be permitted and regulated in acc with Section 198-1505 as then amended.

QUANTUM OF VOTE: Two-thirds - see Massachusetts General Laws Chapter 40A, Section 5.

For Reference

Not to be taken from this room

Highway Department	(1) International ten-ton dump truck	1984
	(1) Mack ten-ton dump truck	1979
	(1) Chevrolet K30 one-ton dump truck	1988
Police Department	(1) Ford Crown Victoria	1990
	(2) Ford Crown Victorias	1995
	(3) Ford Crown Victorias	1997

FINANCE COMMITTEE COMMENTS: This standard article allows the Town to sell used vehicles or other personal property.

ARGUMENTS IN FAVOR: The selling of used property contributes to the Town's general fund.

ARGUMENTS OPPOSED: The Town might inadvertently sell a valuable antique.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority.

ARTICLE *62*: AUTHORIZE TREASURER TO BORROW

Proposed by: Board of Selectmen

To determine whether the Town will vote to authorize the Treasurer, with the approval of the Selectmen, to borrow monies from time to time in anticipation of the revenue of the fiscal year beginning July 1, 1998 in accordance with the provisions of Massachusetts General Laws Chapter 44, Section 4, and Chapter 849 of the Acts of 1969, both as amended, and to issue a note or notes therefor, payable within one year, and to renew any note or notes that may be given for a period of less than one year in accord with the provisions of Massachusetts General Laws Chapter 44, Section 17, as amended.

FINANCE COMMITTEE COMMENTS: This standard article provides for short-term borrowing in case of need, pending collection of real estate taxes.

ARGUMENTS IN FAVOR: This article allows the Town flexibility in managing its finances.

ARGUMENTS OPPOSED: The Finance Committee is not aware of any.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority - see Massachusetts General Laws, Chapter 44, Section 4.

COMMONWEALTH OF MASSACHUSETTS

WARRANT

for the

SPECIAL TOWN MEETING OF 1998

Town of Wayland in the County of Middlesex

To any of the Constables of the Town of Wayland, Greetings:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify all residents of the Town of Wayland, who shall be qualified to vote in accord with the provisions of General Laws Chapter 51, Section 1, to meet in the Wayland High School Field House on

MONDAY, MAY 4, 1998 AT 8:30 P.M.

or as soon thereafter as the Article then under discussion in the Annual Meeting is disposed of, then and there to act on the following Articles:

STM ARTICLE *1*: ACCEPT LAW INCREASING REAL ESTATE TAX EXEMPTION AMOUNTS

Proposed by: Board of Assessors/Board of Selectmen *Estimated Cost: $40,000.00*

To determine whether the Town will vote to accept the provisions of Section 4 of Chapter 73 of the Acts of 1986, as amended by Chapter 126 of the Acts of 1988, and allow an additional exemption of up to 100% for Fiscal Year 1999.

FINANCE COMMITTEE COMMENTS: With Town budget growth outpacing income increases for many elderly or other fixed-income residents, it becomes ever more difficult for these residents to remain in their homes. Tax exemption is one way to at least partially offset the widening gap; others include the Tax Workoff and Tax Deferment programs. Without passage of this article at each Annual Town Meeting, as of this year, approximately 130 residents avail themselves of exemptions in three categories: $175 to $875 for veterans, $175 for residents at one level of qualification, and $500 for residents at a higher level of qualification. The present cost of this program is $40,000, half of which is paid for by the Commonwealth. If the above levels are doubled (the added amount to be paid for by the Town, bringing them up to the maximum level allowed by the Commonwealth), qualifying residents will be able to apply the incremental amount towards future tax increases.

ARGUMENTS IN FAVOR: At an added cost of roughly $10 per home per year, the expanded exemption program will help long-time elderly and/or fixed-income residents to remain in their homes. Not only will this program reward residents for what they have contributed to the Town over time, it will also serve to lessen growth – in number and cost – of the school population by helping to keep "empty bedrooms empty." By preserving an oral Town history and a valuable resource for Town government, serving this important segment of our population strengthens the "intergenerational fabric" that binds the Town together.

ARGUMENTS OPPOSED: This article will slightly increase the tax burden for those not receiving the exemption.

RECOMMENDATION: The Finance Committee recommends approval. Vote: Unanimous.

QUANTUM OF VOTE: Majority - see Section 4 of Chapter 73 of the Acts of 1986.

STM ARTICLE *2*: ADD FUNDS TO CONSERVATION FUND

Proposed by: Conservation Commission *Estimated Cost: $50,000.00*

To determine whether the Town will vote to appropriate a sum of money to be added to the Conservation Fund; and to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated funds, by transfer of funds already appropriated for another purpose, by borrowing or otherwise.

FINANCE COMMITTEE COMMENTS: The Conservation Fund was established in 1963 in the amount of $12,000. Small annual additions in the range of $5,000 to $10,000 continued to be appropriated up until

1970. After that time, funding ceased due to several variables. This also coincided with changes in the real estate market and a new state regulation (the Massachusetts Wetlands Protection Act) that consumed a major portion of the Commission's time. The Fund stands at $3,740 with its prior contents going to land acquisition of small tracts, options and appraisals.

ARGUMENTS IN FAVOR: With the growing concern over preservation of Wayland's open space, the Conservation Commission needs to have money available for appraisals, legal fees, to put options on land and to acquire small tracts. Often, real estate opportunities require swift action and immediate available funds, something that can be achieved through the Conservation Fund. A successful land acquisition program relies on several sources of funding including: grants, gifts and land trusts. The $50,000 is a small step towards achieving the goal of open space preservation.

ARGUMENTS OPPOSED: The $50,000 cost could be considered to be too expensive.

RECOMMENDATION: The Finance Committee recommends approval. Vote: 5 for, 2 against.

QUANTUM OF VOTE: Majority - see Massachusetts General Laws Chapter 40, Section 5, and Chapter 44, Section 33B. For borrowing, two-thirds - see Chapter 44, Section 7.

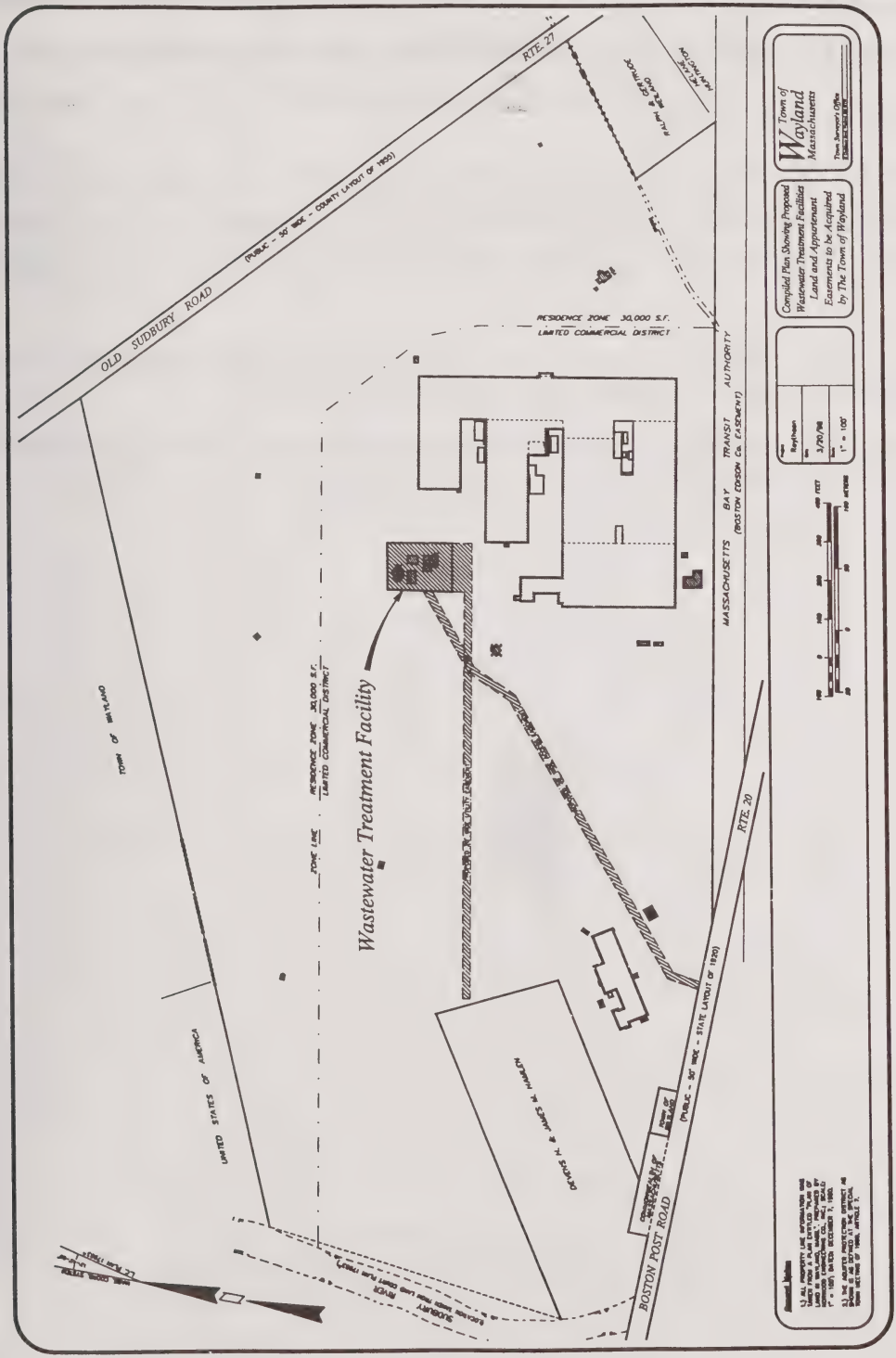
STM ARTICLE *3:* ACQUIRE SEWER TREATMENT PLANT ON FORMER CNA/RAYTHEON LAND

Proposed by: Board of Selectmen *Estimated Cost: $100.00*

To determine whether the Town will vote to authorize the Board of Selectmen, with the approval of Town Counsel as to form, to acquire by purchase, eminent domain, gift or otherwise, for wastewater management purposes or other municipal purposes, the fee or any lesser interest in all or any part of the land, with the improvements and wastewater management systems thereon and thereunder, including appurtenant easements for access and other purposes, located off Route 27 (Old Sudbury Road), Wayland, Massachusetts, all as shown on a plan entitled "Compiled Plan Showing Proposed Wastewater Treatment Facilities, Land and Appurtenant Easements to be Acquired by the Town of Wayland," Scale 1 inch = 100 feet, dated March 20, 1998, by the Town of Wayland Town Surveyor's Office, a copy of which plan is on file in the Office of the Town Clerk; to determine whether the Town will vote to appropriate a sum of money to be expended by the Board of Selectmen for the acquisition of said land and/or interests therein, and improvements and wastewater management systems thereon and thereunder, including related legal expenses; and to determine whether such appropriation shall be provided by taxation, transfer from unappropriated funds, by transfer from funds already appropriated for another purpose, by grants received from the Commonwealth or Federal Government, by borrowing or otherwise.

RECOMMENDATION: The Finance Committee defers its recommendation until Town Meeting pending resolution of technical and cost issues. Vote: Unanimous.

QUANTUM OF VOTE: Two-thirds - see Massachusetts General Laws Chapter 40, Section 14 and Chapter 44, Sections 7 and 8.


OLD SUDBURY ROAD
(PUBLIC - 50' WIDE - COUNTY LAYOUT OF 1955)
RTE. 27
RESIDENCE ZONE 30,000 S.F.
LIMITED COMMERCIAL DISTRICT
MASSACHUSETTS BAY TRANSIT AUTHORITY
(BOSTON COSSON Co. EASEMENT)
Wastewater Treatment Facility
ZONE LINE
RESIDENCE ZONE 30,000 S.F.
LIMITED COMMERCIAL DISTRICT
TOWN OF WELLESLEY
UNITED STATES OF AMERICA
RTE. 20
BOSTON POST ROAD
(PUBLIC - 50' WIDE - STATE LAYOUT OF 1920)
Compiled Plan Showing Proposed Wastewater Treatment Facilities Land and Appurtenant Easements to be Acquired by The Town of Wayland
Town of Wayland Massachusetts
Town Surveyor's Office
Raytheon
3/20/98
1" = 100'

STM ARTICLE *4:* SEEK FUNDING FOR IMPLEMENTATION OF PLANNING STUDIES

Proposed by: Planning Board *Estimated Cost: $10,000.00*

To determine whether the Town will vote to appropriate a sum of money to be expended by the Planning Board to engage the services of a consultant or consultants for the purpose of completing implementation studies of issues arising from the Route 30 Traffic and other long-range planning studies; and to determine whether such appropriation shall be provided by taxation, by transfer from unappropriated available funds, by transfer of funds already appropriated for another purpose, by borrowing, by gift, by grant, or otherwise.

RECOMMENDATION: The Finance Committee defers its recommendation until Town Meeting as it did not have the opportunity to study this Article before the Warrant went to the printer.

QUANTUM OF VOTE: Majority - see Massachusetts General Laws Chapter 40, Section 5 and Chapter 44, Section 33B. Two-thirds for borrowing - see Massachusetts General Laws Chapter 44, Section 7.

APPENDIX A

ANNUAL TOWN MEETING ARTICLE 11

CHAPTER 140 § 147A

§ 147A. By-laws and ordinances relative to regulation of dogs

Any city or town which accepts the provisions of this section is hereby empowered to enact by-laws and ordinances relative to the regulation of dogs. Except as hereinafter provided in clauses (a), (b) and (c), and notwithstanding any contrary provision of sections one hundred and thirty-seven to one hundred and seventy-four D, inclusive, relating to the regulation of dogs or any special law relating to the regulation of dogs, such by-laws and ordinances may relate to, but not be limited to dog licensing, establishing dog fees, disposition of fees, appointment of dog officers, kennel licensing and regulations, procedures for the investigation of and reimbursement for damage caused by dogs, restraining of dogs and establishing penalties for a breach thereof. No such by-law or ordinance shall be inconsistent with the provisions of this chapter relating to (a) the turning over or sale of animals to any business or institution licensed or registered as a research facility or animal dealer, as provided in section one hundred and fifty-one; (b) the minimum confinement period of dogs as provided in section one hundred and fifty-one A; and (c) the methods of execution, as provided in said section one hundred and fifty-one A.

In any city or town which accepts this section, all money received from licenses or recovered as fines under any by-law or ordinance enacted pursuant to the provisions of this section, shall be paid into the treasury of said town or city and shall not thereafter be paid over by the town or city treasurer to the county in which said town or city is located.

Any and all functions relating to the regulation of dogs pursuant to section one hundred and thirty-seven to one hundred and seventy-four D, inclusive, which would otherwise be performed by the county, by the county commissioner or otherwise, shall not be performed by the county on behalf of any city or town which is not a member of the county dog fund.

Any and all costs which would otherwise be paid out of the county dog fund shall not be paid by the county to any city or town which is not a member of the county dog fund, or to any city or town which accepts this section and such cities and towns shall thereupon be responsible for all costs and expenses relating to the regulation of dogs.

Added by St.1985, c. 308. Amended by St.1986, c. 201, § 1.

Historical and Statutory Notes

St.1985, c. 308, was approved Sept. 26, 1985.

St.1986, c. 201, § 1, approved July 8, 1986, in the first paragraph, in the second sentence, inserted "or any special law relating to the regulation of dogs".

APPENDIX B

ANNUAL TOWN MEETING ARTICLE 19

CHAPTER 40 § 57

LICENSES AND PERMITS OF DELINQUENT TAXPAYERS

Caption editorially supplied

§ 57. Local licenses and permits; denial, revocation or suspension for failure to pay municipal taxes or charges

Any city or town which accepts the provisions of this section, may by by-law or ordinance deny any application for, or revoke or suspend any local license or permit including renewals and transfers issued by any board, officer, department for any person, corporation or business enterprise, who has neglected or refused to pay any local taxes, fees, assessments, betterments or any other municipal charges or with respect to any activity, event or other matter which is the subject of such license or permit and which activity, event or matter is carried out or exercised or is to be carried out or exercised on or about real estate whose owner has neglected or refused to pay any local taxes, fees, assessments, betterments or any other municipal charges. Such by-law or ordinances shall provide that:

(a) The tax collector or other municipal official responsible for records of all municipal taxes, assessments, betterments and other municipal charges, hereinafter referred to as the tax collector, shall annually furnish to each department, board, commission or division, hereinafter referred to as the licensing authority, that issues licenses or permits including renewals and transfers, a list of any person, corporation, or business enterprise, hereinafter referred to as the party, that has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges for not less than a twelve month period, and that such party has not filed in good faith a pending application for an abatement of such tax or a pending petition before the appellate tax board.

(b) The licensing authority may deny, revoke or suspend any license or permit, including renewals and transfers of any party whose name appears on said list furnished to the licensing authority from the tax collector or with respect to any activity, event or other matter which is the subject of such license or permit and which activity, event or matter is carried out or exercised or is to be carried out or exercised on or about real estate owned by any party whose name appears on said list furnished to the licensing authority from the tax collector; provided, however, that written notice is given to the party and the tax collector, as required by applicable provisions of law, and the party is given a hearing, to be held not earlier than fourteen days after said notice. Said list shall be prima facie evidence for denial, revocation or suspension of said license or permit to any party. The tax collector shall have the right to intervene in any hearing conducted with respect to such license denial, revocation or suspension. Any findings made by the licensing authority with respect to such license denial, revocation or suspension shall be made only for the purposes of such proceeding and shall not be relevant to or introduced in any other proceeding at law, except for any appeal from such license denial, revocation or suspension. Any license or permit denied, suspended or revoked under this section shall not be reissued or renewed until the license authority receives a certificate issued by the tax collector that the party is in good standing with respect to any and all local taxes, fees, assessments, betterments or other municipal charges, payable to the municipality as the date of issuance of said certificate.

CHAPTER 40 § 57

Continued

(c) Any party shall be given an opportunity to enter into a payment agreement, thereby allowing the licensing authority to issue a certificate indicating said limitations to the license or permit and the validity of said license shall be conditioned upon the satisfactory compliance with said agreement. Failure to comply with said agreement shall be grounds for the suspension or revocation of said license or permit; provided, however, that the holder be given notice and a hearing as required by applicable provisions of law.

(d) The board of selectmen may waive such denial, suspension or revocation if it finds there is no direct or indirect business interest by the property owner, its officers or stockholders, if any, or members of his immediate family, as defined in section one of chapter two hundred and sixty-eight A in the business or activity conducted in or on said property.

This section shall not apply to the following licenses and permits: open burning; section thirteen of chapter forty-eight; bicycle permits; section eleven A of chapter eighty-five; sales of articles for charitable purposes, section thirty-three of chapter one hundred and one; children work permits, section sixty-nine of chapter one hundred and forty-nine; clubs, associations dispensing food or beverage licenses, section twenty-one E of chapter one hundred and forty; dog licenses, section one hundred and thirty-seven of chapter one hundred and forty; fishing, hunting, trapping license, section twelve of chapter one hundred and thirty-one; marriage licenses, section twenty-eight of chapter two hundred and seven and theatrical events, public exhibition permits, section one hundred and eighty-one of chapter one hundred and forty.

A city or town may exclude any local license or permit from this section by by-law or ordinance.

Added by St.1985, c. 640. Amended by St.1992, c. 286, § 117; St.1993, c. 408, §§ 1, 2.

APPENDIX C

SPECIAL TOWN MEETING ARTICLE 1

CHAPTER 73 § 4, ACTS OF 1986
and
CHAPTER 126, ACTS OF 1988

ACTS, 1986. – Chap. 73.

This clause shall take effect in any city or town upon its acceptance by such city or town for fiscal years commencing on or after July first, nineteen hundred and eighty-six, or for fiscal years commencing on or after such later July first as the city or town may elect. In those cities and towns which accept the provisions of this clause, the provisions of clause Forty-first and Forty-first B shall not be applicable; provided, however, that any amount of money annually appropriated by the commonwealth for the purpose of reimbursing cities and towns for taxes abated under this clause, clause Forty-first and clause Forty-first B shall be distributed as provided in said clause Forty-first.

SECTION 4. Notwithstanding any general or special law to the contrary, in each city or town certified by the commissioner of revenue to be assessing all property at full and fair market value, upon acceptance by the local appropriating authority, as hereinafter defined, a taxpayer who shall otherwise qualify for an exemption under clauses Seventeenth, Seventeenth C, Seventeenth D, Twenty-second, Twenty-second A, Twenty-second B, Twenty-second C, Twenty-second D, Twenty-second E, Thirty-seventh, Thirty-seventh A, Forty-first, Forty-first B, Forty-first C, Forty-second or Forty-third of section five of chapter fifty-nine of the General Laws shall be entitled to an additional exemption which shall be uniform for all exemptions and none of which shall exceed one hundred per cent of said exemption for which he qualifies; provided, however, that in no instance shall the taxable valuation of such property, after all applicable exemptions, be reduced below ten per cent of its full and fair cash valuation except through the application of section eight A of chapter fifty-eight or clause Eighteenth of section five of chapter fifty-nine of the General Laws; and provided, further, that the additional exemption shall not result in any taxpayer paying less than the taxes paid in the preceding fiscal year except through the application of section eight A of chapter fifty-eight or clause Eighteenth of section five of chapter fifty-nine of the General Laws. For the purposes of this section, the term "local appropriating authority" shall mean the board of selectmen in a town; the mayor, with the approval of the city council, in a city; and the town council in a municipality having such form of government. The local appropriating authority may elect to apply the provisions of this section in any fiscal year commencing on or after July first, nineteen hundred and eighty-five. The state treasurer shall annually reimburse a city or town which accepts this section only for the amount which otherwise would have been reimbursed under the respective clause had this section not been accepted by said city or town.

Chapter 126. AN ACT RELATIVE TO REAL ESTATE TAX ABATEMENTS.

Section 4 of chapter 73 of the acts of 1986 is hereby amended by striking out, in line 23, the words "board of selectmen" and inserting in place thereof the words:- majority vote at a town meeting.

Approved July 14, 1988.

APPENDIX D

WARRANT ARTICLE PROCESS
Guide for Petitioners

Citizens have the right to submit articles for consideration by town meeting. Such articles must be in writing and signed by ten or more registered voters for Annual Town Meeting (ATM) or 100 or more registered voters for Special Town Meeting (STM), preferably using the attached form. All petitioners' articles must be submitted by December 15th for ATM or by the date stated for submission of articles for STM. All petitioners' articles having the required number of qualified signatures must be included in the town meeting warrant by state statute.

Petitioners are encouraged to work with appropriate town boards to achieve their goals whenever possible before submitting petitioners' articles. Articles submitted by boards may be revised to reflect the concerns of voters and town boards, legal issues, etc. while petitioners' articles, once submitted, may not be amended or withdrawn prior to town meeting.

ATM Time Line and Process

Date	Action	Responsibility
December 15, 4:30	*Submit petitioners' articles for Annual Town Meeting (on computer disk if possible)* Articles are collected and numbered, and copies are given to the Board of Selectmen and Finance Committee. Petitioners are encouraged to provide comments and arguments in favor and arguments against their articles at the time of submission.	Executive Secretary
January - Mid-March	*Reviews articles, determines their order, votes positions on most articles; may meet with petitioners.* The Board may discuss substantive articles with petitioners or may meet with the Finance Committee when it meets with petitioners.	Board of Selectmen
January - Mid-March	*Studies each petitioner's article and prepares a report for the Warrant* The Fin Com meets with petitioners to learn the purpose of their article and its estimated cost, if any. The Fin Com may also wish to explore alternative means for accomplishing the article's objective. The member of the Fin Com assigned to the article prepares its report for the warrant, including pro and con arguments and the Fin Com's recommendation. Petitioners may submit a report of no more than 150 words about the article to be printed in the warrant if the Fin Com prints a report.	Finance Committee

Date	Action	Responsibility
January - Mid-March	*Meets with Finance Committee and/or Board of Selectmen to discuss article; writes report of no more than 150 words to be printed in the warrant if desired and if the Fin Com prepares a report* Such discussions may uncover issues that require further work on the part of the petitioner, identify arguments for and against passage.	Petitioners
January - Mid-March	*Reviews articles for form and legal correctness, adds required legal citation(s), states the quantum of vote required for passage, prepares final wording of motions*	Town Counsel
March 15 (approximately)	*Submits completed warrant to the printer*	Executive secretary and staff
7 days prior to ATM	*Mails warrant to registered voters*	Executive secretary and staff
7 days prior to ATM	*Holds a warrant article hearing* Petitioners should attend this hearing to review the warrant for technical accuracy, and prepare an errata sheet for town Meeting, not to discuss the merits of articles.	Board of Selectmen with Moderator and Fin. Committee
ATM	*Moves the article and makes a brief presentation on the merits of the article.* Movers of articles have a limited amount of time to explain and present arguments in favor of passage of the article (currently 10 minutes). This presentation is made at the procedural (center) microphone. Petitioners may prepare handouts and slides. If the motion differs substantially from what is printed in the warrant, printed copies should be prepared for the moderator.	Lead Petitioner
ATM	*Consider each article at ATM.* Citizens are encouraged to debate the merits of articles, ask questions, and make amendments when appropriate. Amendments should be legibly written for submission to the moderator.	Citizens, board members, and petitioners
ATM	*Presides over the meeting, determines the meeting's rules of order, makes ruling on questions as they arise*	Town Meeting Moderator

Special Town Meeting

The Board of Selectmen must vote to hold a special town meeting. They set the date for the meeting, usually a minimum of 45 days in advance, and accept articles for the warrant for about five days. The above timeline and process is followed, except that the warrant must be mailed to registered voters 14 days prior to the STM.

PETITIONERS ARTICLE FOR WAYLAND TOWN MEETING

LEAD PETITIONER_____ DATE RECEIVED_____

DAY PHONE_____ HOME PHONE_____

TITLE_____

TOWN BOARD/DEPARTMENT AFFECTED BY ARTICLE_____

ESTIMATED COST_____

MOTION: To determine whether the Town will vote to

#	Print Name Legibly	Signature	Print Street Address
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			

INSTRUCTIONS

Lead Petitioner The lead petitioner will serve as spokesperson for the article and will be contacted by the Finance Committee and the Board of Selectmen.

Date Received The date received will be stamped on the petition when it is submitted to the executive secretary.

Phone Numbers Please provide a day and evening phone number where the lead petitioner may be contacted.

Title Please provide a brief title that describes the purpose of this article.

Town Board/Department Affected Please list the town board(s) or department(s), if any, that will be affected if this article passes.

Estimated Cost Please provide an estimate of the cost if passage of this article will have a financial impact on the town.

Motion Please describe fully and unambiguously what you wish the town meeting to vote on.

It is recommended that petitioners attach a brief list of arguments in favor and arguments against their article to help provide a context for understanding the reasoning behind the article.

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You are required to serve this Warrant by posting copies thereof, attested by you, at the Town Building, at the Public Library in Wayland Center, at the Cochituate Fire Station or the Cochituate Post Office, and at the Happy Hollow School, and by mailing or delivering a copy thereof addressed to each residence in the Town seven days, at least, before the time appointed for the Annual Election and fourteen days, at least, before the time appointed for the Special Meeting.

Hereof, fail not and deliver this Warrant with your return thereon to the Town Clerk on or before April 14, 1998.

Given under our hands and seals this 13th day of April, 1998.

Mary M. Antes
Marcia P. Crowley
Randy Hoes
Susan W. Pope, Vice Chairman
Susan Weinstein, Chairman

Selectmen of the
Town of Wayland

Alfred H. Bellows
Jeff R. Dieffenbach, Chairperson
Robert L. Lentz
Robert H. Loring
G. Christopher Riley
Lisa C. Schimmel, Vice Chairperson
Katherine H. Tyrrell

Finance Committee

VOLUNTEER TO SERVE YOUR TOWN

Vacancies on Town boards, committees and commissions occur from time to time. Most positions are appointed by the Board of Selectmen (see I).

Elected positions are usually filled at the annual April election, but if openings occur mid-term, they are filled by appointment until the next annual election. Registered voters, please indicate your interest in order of preference (see II):

I. Appointed boards, committees and commissions:

_____Assessment and Valuation Study
_____Cable TV
_____Conservation
_____Council on Aging
_____CNA/Raytheon
_____Cultural Council
_____Fair Housing
_____Finance
_____Growth Policy
_____Historical
_____Historic District
_____Housing Partnership
_____Information Systems
_____Personnel
_____Public Ceremonies
_____Route 20 Study
_____Route 30 Development
_____Septage Committee
_____Surface Water Quality
_____Technology Services
_____Youth Advisory
_____Zoning Board of Appeals

II. Elected boards, committees and commissions:

_____Assessors
_____Health
_____Housing Authority
_____Park and Recreation
_____Planning
_____Library Trustees
_____Road Commission
_____School
_____Selectmen
_____Trust Funds
_____Water

NAME:_____ADDRESS:_____

HOME TEL._____WORK TEL._____

Applications of interest will be kept on file for one year. You will be contacted as relevant vacancies occur.

Return this completed form to:

Executive Secretary
Town of Wayland
41 Cochituate Road
Wayland, MA 01778

FOLD HERE

PLACE
STAMP
HERE

BOARD OF SELECTMEN
Town of Wayland
41 Cochituate Road
Wayland, Massachusetts 01778

TOWN OF WAYLAND
Board of Selectmen
41 Cochituate Road
Wayland, MA 01778-2697

Bulk Rate
U. S. Postage
PAID
Permit No. 16
Wayland, MA

POSTAL PATRON
WAYLAND, MA 01778